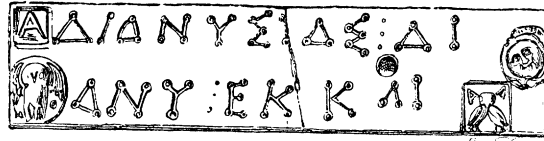


ARISTOTLE'S
CONSTITUTION OF ATHENS





(1) ΠΙΝΑΚΙΟΝ ΔΙΚΑΣΤΙΚΟΝ (c. 63 § 4)



(2)

(3)

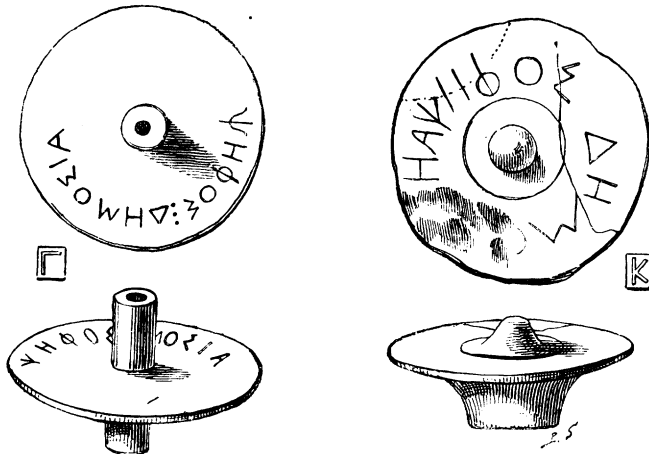
(2) and (3) ΚΛΗΡΟΙ ΘΕΣΜΟΘΕΤΩΝ (c. 63 § 5)



(4)

(5)

(4) and (5) ΣΥΜΒΟΛΑ ΔΙΚΑΣΤΙΚΑ (col. 32, 14)



(6) ΨΗΦΟΣ ΤΕΤΡΥΠΗΜΕΝΗ

(7) ΨΗΦΟΣ ΠΛΗΡΗΣ (col. 35, 27—29)

ΣΚΕΥΗ ΔΙΚΑΣΤΙΚΑ

(See description on p. lxxvi)



Handwritten: J. E. Sandys

ΑΡΙΣΤΟΤΕΛΟΥΣ ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ

ARISTOTLE'S
CONSTITUTION OF ATHENS

*A REVISED TEXT
WITH AN INTRODUCTION
CRITICAL AND EXPLANATORY NOTES
TESTIMONIA AND INDICES*

BY

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Tetradrachm of Athens, c. 590—525 B.C. (See note on page 39.)

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P R E F A C E.

THE preparation of the present volume was planned not long after the memorable publication of Mr Kenyon's *editio princeps* on Friday, the thirtieth of January, 1891. In that important work much was happily done by its able editor to facilitate the study of the newly discovered treatise by a skilful decipherment of the *papyrus*, by a careful comparison of the text with that of the existing fragments, by a judicious restoration of a large number of passages imperfectly preserved in the manuscript, and by an eminently readable commentary on many interesting points of constitutional history. The *editio princeps* was also the *editoris primitiae*; and, considering the brief limits of time within which it was prepared, and notwithstanding certain superficial blemishes which have since been removed, it was undoubtedly a remarkable achievement.

In the opinion, however, of competent critics there appeared to be room, by the side of Mr Kenyon's work, for an edition in which closer attention might fitly be paid to matters of scholarship and verbal criticism, together with a more minute comparison of the fresh evidence with that already familiar to us in two closely allied departments of Classical learning, (1) the Constitutional History, and (2) the Legal Antiquities of Athens. There was also at that time an acknowledged need of an *Index Graecitatis*; and lastly there was a call for a fuller and clearer statement of the evidence on the text so far as it could be derived from quotations in later Greek literature. It has been the aim of the present writer to endeavour to supply such an edition.

The *Introduction* begins with a slight sketch of the political literature of Greece before the time of Aristotle, so far as it was directly concerned with theories of government. This is followed by a brief notice of the *Politics* of Aristotle and of the lost political works ascribed to the same author. The external evidence as to the authorship of the *Πολιτεῖαι* is next reviewed in chronological order, showing that, according to testimony extending over fifteen centuries from the age immediately succeeding that of Aristotle, the work, as a whole, was ascribed to Aristotle and to none beside. A brief account of the later literature of the subject is succeeded by a description of the Berlin Fragments, and the British Museum papyrus, of the *Ἀθηναίων πολιτεία*. The date of the treatise is placed between 328 and 325 B.C., which corresponds to the latter part of Aristotle's life; and, after a discussion of its relation to the *Politics*, and an examination of its style and language, it is accepted as being substantially the work of Aristotle himself; due regard is, however, paid to the considerations that have been urged on the other side by several eminent scholars. The discussion of the authorship is followed by an indication of the authorities either certainly or probably used by the writer. This is succeeded by an abstract of the contents, which (excepting a few dates added for the sake of clearness, with one or two items supplementary to the lost beginning of the treatise), is strictly confined to the author's own statements, any extraneous matter being carefully distinguished as such. The rest of the Introduction is mainly devoted to a conspectus of the Bibliography of the treatise, showing that, apart from editions and translations and separate works, the number of writers of signed contributions to the literature of the subject, in the department of periodical publications alone, already exceeds one hundred and thirty. Many of these papers were not published until after the present edition was already in type, the Commentary on the first forty-one chapters and the first draft of the Critical Notes and Testimonia having been written during the Long Vacation of 1891, while the greater part of the Introduction was prepared for delivery in the form of College Lectures in the autumn of the same year. An abstract of the contents of some of the more recent literature is included in the conspectus, wherever it seemed to be desirable. Professor Bruno Keil's important volume of nearly 250 pages on the *Solonian Constitution* as described in the *Ἀθηναίων πολιτεία*, with many interesting criticisms on the treatise in general, did not appear until the present edition was nearly ready for publica-

tion; but it has been found possible to include a few references to it in the *Addenda* and in the *English Index*.

In settling the *Text* I have constantly used the *facsimile* published by the Trustees of the British Museum; and, on nearly all points of special difficulty, I have also endeavoured to form an opinion of my own by consulting the *papyrus* itself. In the case of passages imperfectly preserved in the ms, I have considered it safer to accept Mr Kenyon's testimony as to the exact number of letters still visible, than that of other editors who, without having had the advantage of inspecting the ms, much less of having constant access to it, have not unfrequently indicated letters as actually visible which (at the best) are represented only by the faintest traces in the facsimile on which their texts are confessedly founded. Where the reading is uncertain, or the ms defective, I have freely admitted conjectures that commended themselves to my judgment as sound restorations of the text. My own conjectures, so far as they are here put forward for the first time, are always distinguished by an asterisk whenever they are included in the text; but even of these, several must be regarded as merely provisional and tentative restorations. Others are only suggested in the notes. References to all of them may be readily found in the *English Index*, under the heading 'Conjectures.'

In the *Critical Notes* the readings of the ms are for convenience recorded in a distinctive type. No one, however, who is familiar with the facsimile as a whole, or with the specimen published in Mr Kenyon's *Translation*, will regard these 'small uncials' as intended to represent the actual characters used by any one of the four copyists employed on the work. I have also indicated the readings or conjectures adopted in the principal critical editions that have already appeared; the Dutch edition, by van Herwerden and van Leeuwen; the two German editions, by Kaibel and von Wilamowitz-Moellendorff, and by Blass respectively; and the third (and carefully revised) edition by Mr Kenyon. Where Mr Kenyon has himself withdrawn the reading proposed in his first edition, I have not thought it desirable to record the reading so withdrawn, unless it helped to explain some of the earlier conjectures which in themselves appeared deserving of mention. I have therefore said nothing about such purely provisional readings as *καρδία καὶ κοινῇ* in c. 40 l. 17. It was clear that *καρδία* could not be right, and more than one scholar (for example, Professor Blass, Professor Mayor, and Mr Bywater) saw at once that *καὶ ἰδίᾳ καὶ κοινῇ* was a necessary correction;

but, now that it is admitted that this is virtually the reading of the *papyrus*, in which ΚΑΙΔΙΑ is corrected into ΚΑΙΙΔΙΑ, it is no longer necessary to record the text of the first edition. At the time, however, when the above suggestion was made, it had every right to be described as an 'emendation'; and it may be interesting to add that, as such, it attracted the notice of the late Mr Freeman, who observes in the preface to the third volume of his *History of Sicily*:—'such an emendation as this is not conjecture at all; it is the keen instinct of the true expert seeing his way straight to the right thing.' Again, it has not been deemed desirable to record *all* the conjectures that have been proposed since the publication of the *editio princeps*, many of them, however attractive at first sight, being excluded by our present knowledge of the actual readings of the papyrus, or by other considerations.

The *Testimonia*, printed immediately below the critical notes, contain further evidence on the text, in the form of quotations in Greek Lexicographers, Scholiasts, and others. Many, but by no means all, of these, had already been recorded in the various editions of the *Fragments*. In the present volume, a good deal of pains has been spent on the endeavour to trace in the Scholiasts, and in authors such as Aristides, tacit quotations or paraphrases of our text, which had hitherto escaped detection owing to their source having been unacknowledged. In the case of these quotations, it has been thought best not to remain content with giving references alone, but (as a general rule) to print the passages in full. It is only thus that their exact value in relation to the text can be readily seen.

In the *Explanatory Notes* considerable space has naturally been assigned to the quotation of parallel passages, especially from the *Politics*; and on every point an endeavour has been made to compare the new evidence with the old. In the historical notes to the first part (c. 1--41) much had already been accomplished by Mr Kenyon; but the second part (c. 42 to the end) was comparatively new ground. Throughout the work special attention has been given to the evidence of Greek Inscriptions.

The *Greek Index* gives a complete list of the vocabulary, with full citations of the phraseology of the treatise, including that of the passages quoted from the poems of Solon and the decrees of Athens, which are duly distinguished from citations from the body of the work. Words not recorded in the *Index Aristotelicus*, and words hitherto unknown, are indicated by distinctive marks. In checking the items in this Index,

much help has been derived from the two Greek Indices, the *Index Dictionis* and the *Index Nominum et Rerum*, of the Dutch edition; but in the present work it has been thought best to have only one Greek Index, and to adopt a more convenient mode of reference. The preparation of this Index has been a laborious task and has considerably delayed the publication of the volume.

The *Archaeological Illustrations* in the frontispiece are borrowed from Daremberg and Saglio's *Dictionnaire des Antiquités* (Hachette, Paris): the Aeginetan and Attic coins on p. 39, from Baumeister's *Denkmäler des Klassischen Alterthums* (Oldenbourg, Munich). To the publishers of both of these important works, the best thanks are due for the readiness with which they have accorded the use of these illustrations.

Among those who in other ways have aided me in preparing the present work, I gladly mention in the first place Mr Kenyon, who, with his able colleagues in the department of MSS at the British Museum, has afforded me every facility for studying the *papyrus*; and, at times when my daily duties in Cambridge made it impossible for me to visit the Museum, has readily given me the fullest information on any point on which I had occasion to consult him. It is a pleasure to add that for a large number of valuable notes and references I am indebted to the kindness of two whose names have long been eminent in the world of scholars:—Mr W. L. Newman, Fellow of Balliol College, Oxford, and editor of Aristotle's *Politics*; and the Rev. John Eyton Bickersteth Mayor, Senior Fellow of St John's, and Professor of Latin in the University of Cambridge. I am similarly indebted in no less degree to a scholar of more recent reputation, Mr W. Wyse, late Fellow of Trinity, and now Professor of Greek in University College, London, whose felicitous emendations of the text, founded mainly on a minute acquaintance with the Attic Orators, and proposed at a time when he was resident in his College rooms in Cambridge, are one more proof that the spirit of Dobree still happily dwells in its ancient home. Lastly, in response to a request conveyed by Mr George Macmillan, Secretary of the Hellenic Society and a member of the firm by which this volume is published, his Excellency the Minister for Greece, whose recent departure from England is regretted by all lovers of Hellenic learning, was good enough to lend me his own copy of the admirable emendations proposed by his brother, Anastasios Gennadios, in the columns of an Athenian newspaper taking its name from the Acropolis.

He also kindly allowed me the use of a number of a Greek philological magazine, 'Ἀθηνᾶ, containing valuable articles on the textual criticism of the treatise by G. A. Papabasilios, and K. S. Kontos. This magazine was not to be found in the Library of the British Museum, and is practically inaccessible in England except to its annual subscribers. While engaged in exploring the scattered literature of such a subject as the present, one feels in such a case, no less than in that of the *Sitzungsberichte* of the Berlin Academy, the full force of the complaint made not long ago by the late Mr Freeman. 'No man can undertake to find out every pamphlet and every article. And, when one has found what is wanted, it is sometimes forbidden to buy the number that one wants, unless one chooses to buy a whole volume that one does not want.' I can only add that I shall be grateful to writers of similar articles for any separate copies of their papers that happen to be available; and, if in this way I become possessed of any duplicates, I propose to present the duplicate to a Library where it will be readily accessible to many who are interested in the subject.

I owe much besides to the principal editions of the treatise, especially to Mr Kenyon's third edition, more particularly for details connected with the readings in the *papyrus*. The study of the ms and of the facsimile alike has been considerably facilitated by the convenient plan adopted in the Dutch edition of Professors Van Herwerden and Van Leeuwen, in which the contents of the ms are indicated, not merely column by column, but also line by line. The edition of the text by Professors Kaibel and von Wilamowitz-Moellendorff has been of much use in revising the text and the *testimonia*, and in dealing with the fragments. In this last particular, as in some others, a still further advance has been made in the very useful Teubner text recently edited by Professor Blass, the results of whose subsequent examination of the *papyrus* have, by his own kindness, reached me in time to be included in the *Addenda*.

My obligations to other published works are acknowledged as they arise, and are also expressed in general terms at the close of the bibliographical part of the Introduction. It may here be noticed that several of the most important of the books of reference to which I am thus indebted, are already attesting in their new editions the value of the evidence on the Constitutional History and the Public Antiquities of Athens which is contained in the treatise that, little more than two

years ago, was so unexpectedly restored to us from the tombs of Egypt.

Up to the time of that fortunate event, the student was compelled to satisfy his curiosity with the scattered fragments that, in successive generations, first in Italy and France, and afterwards in Holland and Germany, had been diligently sought by the industry of scholars, and collected into one by those 'friends of Truth,' who (in Milton's phrase) 'imitating the carefull search that Isis made for the mangl'd body of Osiris, went up and down gathering limb by limb still as they could find them.' Even now, when in place of these *disiecta membra*, the actual body of the work has been happily recovered in an approximately complete condition, the 'friends of Truth' have made much ado over many minor details of the great discovery. After all that has been found, the quest continues still ; but it is no longer limited, as it was two years ago, to the enterprise of a single scholar, enjoying all the privileges, and, at the same time, encountering not a few of the perils of a solitary pioneer. On the contrary, it is shared by a goodly number of eager investigators in many lands ; and the very number of those who are joining in the quest is almost a source of embarrassment to any one of them who attempts to gather up the main results of their research and to combine them with his own. The last two years have led to many points connected with the new treatise being viewed in a more sober light and with a more fitting sense of proportion : the exaggerated expectations that were at first aroused have been followed by a natural reaction, which is now succeeded in its turn by the prevalence of an intermediate state of settled contentment. Meanwhile, the excitement of that earlier time is over ; and those who are still engaged on the quest must be content to continue their patient toil unstimulated and unrewarded by any such general and public interest as that which justly awaited the first announcement of an event which has enabled men of letters to realise in the present day some of the joyous surprises of the age of the Renaissance. In the feeling language lately used in Cambridge by a learned prelate belonging to both of the two oldest Universities of the United Kingdom, 'the dignity and nobility of a scholar's life lie in this, that it claims no recognition, and asks for no reward. It seldom admits of excitement ; it has no prospect of great encouragement ; it looks forward to no definite achievement.' There are times, however, when a student, while attempting to restore and explain some imperfectly recorded remnant of

the past, may take a quiet pleasure in obeying the precept of George Herbert :—

‘If studious, copie fair what Time hath blurr’d’.

And at last there is a moment when, in the spirit of thankfulness that comes with the completion of an arduous undertaking, he may, as at present, offer to the kindly criticism and to the use of others a work which, however long delayed by lack of leisure, and however inadequate in itself, has at least been the result of the most unsparing labour and the most strenuous endeavour.

December 27, 1892.

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INTRODUCTION.

§ 1. *The political literature of Greece before the time of Aristotle.*

IN a brief preliminary survey of the political literature of Greece¹, it is unnecessary to dwell on the names of representatives of the pre-Socratic schools of philosophy, such as Pythagoras of Samos and Protagoras of Abdera, although the former is said to have written a *πολιτικὸν σύγγραμμα* (Diog. Laert. viii 6), and the latter a treatise *περὶ πολιτείας* (*ib.* ix 55). The work ascribed to Pythagoras was undoubtedly spurious; like that of Protagoras, it has been lost to posterity.

The earliest extant specimen of this branch of literature is the treatise preserved among the works of Xenophon under the title of *Ἀθηναίων πολιτεία*. Among modern scholars Cobet stands almost alone in being content to accept it as Xenophon's (*Nov. Lect.* p. 706). Its authorship is in fact uncertain: it has been attributed to Alcibiades², and also to Critias³, who is known to have written on the *πολιτεῖαι* of Sparta, Thessaly and Athens. It may fairly be regarded as emanating from the oligarchical party at Athens, and as primarily intended for the perusal of readers at Sparta who sympathised with their aims. It was probably written between B.C. 426 and 413. It is in any case the earliest Greek political treatise that has come down to us. More than this, it is the 'oldest extant specimen of literary Attic prose'⁴; it is also 'the oldest extant specimen of a political pasquinade'. The real or imputed abuses of the Athenian Democracy are attacked in a tone of bitter sarcasm or insidious irony, relieved by acute remarks on interesting points of national economy, such as the relations of Athens to her subjects and rivals, and the comparative strength and weakness of her naval and military establishments⁵.

The *Λακεδαιμονίων πολιτεία*, though regarded as spurious by Deme-

¹ Cf. Henkel, *Studien zur Geschichte der Griechischen Lehre vom Staat*, esp. pp. 1—17, *die politischen Schriften der Philosophen*.

² W. Helbig, *Rhein. Mus.*, xvi 511 ff.

³ e.g. by Boeckh, *Public Economy of*

Athens, III v, vol. i p. 390 Fränkel.

⁴ Jebb, *Primer of Gk. Lit.*, p. 114.

⁵ Col. Mure's *Literature of Greece*, v 422—5. See also A. Kirchhoff, in the *Abhandlungen* of the Berlin Academy for 1874.

trius of Magnesia (Diog. Laert. ii 57), is accepted as the work of Xenophon by Plutarch (*Lyc.* 1) and others in ancient times, and among the moderns by Cobet (*Nov. Lect.* p. 705—724) and many others. Its date is possibly later than the battle of Leuctra (371); but is more probably between 403 and 401. It is a work inspired throughout by admiration of Spartan institutions. The *Κύρου παιδεία* is later than the death of Socrates (*Cyrop.* iii i 38—40), and was probably written after Xenophon's return from exile, or about 369. While professing to describe the education of the founder of the Persian empire, it is really a historical and political romance, an idealised biography with a didactic purpose, being practically an encomium on Socratic principles and Spartan practice. It is prompted by the author's experience of Hellenic political and social life, especially the instability and vicissitudes of various forms of government¹.

The pamphlet entitled *πόροι* [*ἡ περὶ προσόδων*] was probably not the work of Xenophon, but was written about 346 B.C. as a manifesto of the party who held that the commercial prosperity of Athens depended on peace with Philip. It suggests several expedients for enlarging the revenue, especially by means of taxes levied on resident aliens, as well as profits derived from the labour of 10,000 public slaves who were to be employed in the mines of Laurium.

Passing from 'Xenophon' to Plato, we have in the *Republic* the most memorable of all delineations of an Ideal State. In the first four books the description of the State is in harmony with Hellenic notions of religion and morality; in the remainder, the Hellenic State is transformed into an ideal kingdom of philosophy, of which all other governments are perversions². In the eighth book³ all conceivable forms of constitutions are reduced to five classes, represented by aristocracy, timocracy, oligarchy, democracy and despotism or tyranny, corresponding to five leading types of individual character. In the portraits of the typical 'timocrat', tyrant, and democrat, and in the account of the successive changes which they represent, we have a sequence of transformations that is not entirely in accordance with historical facts, but nevertheless supplies us with something of the nature of a philosophy of history. The author is clearly no lover of democracy, or indeed of any of the existing varieties of government. His gaze is fixed on something above and beyond the horizon of his time. In his view, as expressed in the closing words of the ninth book, the man of understanding is little likely to be a politician in the land of his birth, though he will certainly be a politician in an ideal city which is all his own;

¹ Introduction to Holden's ed.

² Jowett, *Introd.* to the *Republic*, p. 3.

³ p. 544, compared with iv *ult.*

a city whose pattern is laid up in heaven, and he who desires may look on that pattern and in the vision find indeed his home. But whether there really is, or ever will be, such a city, is of no concern to him; for he will do all things in obedience to the laws of that city and of no other.

The *Republic* is almost always called the Πολιτεία, but sometimes bears the plural name, Πολιτεῖαι. Thus Themistius (ii 32 c) associates with the name of Plato, Πολιτεῖαι τε αἱ κλειναὶ καὶ οἱ θεσπέσιοι Νόμοι. The dialogue on the *Laws* was composed after the *Republic* (Ar. *Pol.* ii 3, 1), and was published after the author's death (Diog. Laert. iii 37). It sets forth in minutest fulness the details of an Ideal Code; and, in the absence of any actual code of the institutions of Athens, the indications of the existing laws therein contained are often of special value¹. The lofty conception of the 'rule of Philosophers' is here abandoned, and the state described is the best which is practically possible under the existing limitations of Greek life. In the third book the author reviews the constitutions of Sparta, Persia and Athens, noting the causes of the success and failure of each; and then proceeds to develop his own constitution. In the Platonic dialogue, entitled the Πολιτικός, or an inquiry into the definition of a Ruler, there is much affinity with the *Laws* of Plato and the *Politics* of Aristotle. In contrast to the doubtless earlier scheme in the *Republic*, with its five types of constitution, we here find a series of seven, in which, apart from the ideal and only perfect type, we have six existing forms of government. These six are obtained by dividing the rule of the One (μοναρχία), of the Few (ἡ ὑπὸ τῶν ὀλίγων δυναστεία), and of the Many (δημοκρατία) into two varieties each, (1) into kingship and tyranny, and (2) into aristocracy and oligarchy, while the two varieties of democracy ('constitutional government' and 'simple democracy') are undistinguished by any differences of name. The distinction in each of these three pairs turns upon the question whether Law is observed or not². In its political views, and probably in its date, this dialogue occupies an intermediate position between the *Republic* and the *Laws*; and its classification of typical forms of government reappears, with slight differences of terminology, in the *Ethics* and *Politics* of Aristotle³. Of the other political dialogues bearing Plato's name, the *Epinomis* is an appendix to the *Laws*, and is mainly concerned with Education; the *Minos* dis-

¹ See esp. K. F. Hermann, *De vestigiis institutorum veterum, imprimis Atticorum, per Platonis de Legibus libros indagandis*, 1836.

² *Politicus*, pp. 291, 302.

³ *Eth.* viii 10; *Pol.* iii 7 and vi (iv) 2. Cf. Newman's *Politics*, i 430—433, and Prof. Sidgwick in *Class. Rev.* vi 141—4.

cusses the definition of Law; but neither of these can be reckoned among the genuine works of Plato.

The above summary has been purposely confined to writings strictly concerned with politics, to the exclusion of historical works in which political discussion only plays a subordinate part. Otherwise, we might have recalled the debate on the relative merits of monarchy, oligarchy and democracy, which is ascribed to the Persian grandees in the pages of Herodotus (iii 80—82); and the reflexions on the effects of party spirit in Grecian politics, to which Thucydides is prompted by the narrative of the vengeance of the victorious *demos* on the oligarchs of Corcyra (iii 82 f). As it is, in the limited field of purely political literature, we have noted the rise of the polemical pamphlet, and the historical romance, while in Plato's delineation of an Ideal State and an Ideal Code, we have seen the prototype of writings such as Sir Thomas More's *Utopia* and Bacon's *New Atlantis*. The setting forth of such ideals became a favourite medium for the expression of political criticism; but it is characteristic of Aristotle that, while following this fashion, he succeeded in bringing the political speculations of philosophy into closer relation with the facts of history. In the language of one of the foremost authorities on the political writings of Aristotle, "political science 'begins' for Aristotle 'in History', no less than in Ethics"¹. 'The vision of an ideal State did not make Aristotle indifferent to the problems and difficulties of the actual State. The age which dreams of ideal States is often on the point of losing its interest in politics; but this was far from being the case with Aristotle'².

§ 2. *Political works ascribed to Aristotle.*

Among the political writings ascribed to Aristotle by far the most important is, of course, the *Politics*. The imperfect form in which it has come down to us has been variously explained. The earlier view, supported by Spengel³, was that the work of Aristotle was originally completed by himself, and that important portions of it were afterwards lost. The later view, which is more probable in itself, and is accepted by almost all Aristotelian scholars in modern times, regards the *Politics* as a work that was left unfinished. This view is corroborated by the fact that in later writers we have no reference to the *Politics* which cannot be traced to the existing work. The latest event mentioned in it is the death of Philip, B.C. 336 (viii (v) 8, 10, p. 1311 b 2). As to

¹ Mr W. L. Newman's *Politics*, vol. i p. 15.

² *ib.* p. 89.

³ *Ueber die Pol. des Ar.*, pp. 44 ff.

the order of the books, it can hardly be doubted that, owing to the nature of their contents, books vii and viii should come immediately after iii, while it is not quite certain that books v and vi should be transposed. The order adopted by Susemihl is as follows: i, ii, iii, vii, viii, iv, vi, v. Thus books iv—viii of the new order correspond to vii, viii, iv, vi, v, of the old¹. In the *Politics* Aristotle discusses the origin of the household, the village and the state, and examines the nature of property, and in particular of property in slaves (Bk. i). The citizen is defined as one who shares in the judicial or deliberative administration of a state. In the next book, Aristotle criticises the *Republic* and the *Laws* of Plato, the constitutions framed by Phaleas and Hippodamus, and the actual forms of government prevailing in Sparta, Crete and Carthage, closing with some (possibly interpolated) criticisms on Solon and Pericles (ii). The various types of government are thereupon described in turn, Monarchy, Aristocracy and a mixed constitutional system called *πολιτεία*, together with the three forms into which they respectively degenerate, Tyranny, Oligarchy and Democracy (iii). The author next delineates his Ideal State, and deals with the subject of Marriage and of Education, Bk iv (vii). The latter should be national and also liberal; its two main branches are 'music' and 'gymnastic', Bk v (viii). The types of government are then discussed in detail. Of the three perversions, Tyranny, the perversion of Monarchy, which is itself the best and most divine, is necessarily the worst. Oligarchy, the perversion of Aristocracy, is not so bad as Tyranny; the last, and the least bad, is Democracy. The different kinds of government are then further discriminated, with the forms assumed by the deliberative and the executive power in each, Bk vi (iv). The basis of democracy is defined to be liberty, which includes the principle that 'all should rule and be ruled in turn'. The characteristics of democracy are then described:—all officers of state are appointed 'by all, and out of all'; all rule over each, and each in turn rules over all; the appointment is by lot, except in cases where special knowledge is required; there is little or no qualification; office is held for a short time only, and rarely (if ever) twice, except in the case of military offices; all men, or at least persons selected out of all, sit in judgment in all causes, or at any rate on the most important; the public Assembly is supreme, not the officers of state; when the citizens are paid, even the Council loses its

¹ In the present work, whenever the books of the *Politics* are specified, the number in the new order is given first, followed (in parenthesis) by that of the old order. As a general rule, however, the references are solely to the pages and

lines of the Berlin ed.—Among the most recent discussions of the order of the books may be mentioned Shute's *History of the Aristotelian Writings*, pp. 164—176; and Newman's *Politics*, vol. i 292, vol. ii pp. xxi—xxiv.

power, as the Assembly and the Lawcourts take all the business to themselves. Then follow the various kinds of oligarchies; and the consideration of the due coordination of offices in the state, Bk VII (vi). The author's design is now nearly completed. He has still to speak of the motives, objects and occasions of revolutions in states. Revolutions begin in trifling matters but involve important issues. They are brought about either by force or by fraud. The author next considers how revolutions may be avoided, and tyrannies and monarchies preserved; he describes a despot of a virtuous and beneficent type; and adds some reflexions on the short duration of tyrannies and oligarchies. Lastly, he attacks the views put forward in the *Republic* as to the cycle through which states are described as passing in the course of their decline. Thus the work ends (as it began) with a criticism on Plato.

Among the lost writings of Aristotle was one entitled Πολιτικός, a dialogue in two books, expressly mentioned by Diogenes Laertius (v 22), and vaguely noticed by Cicero¹. The anonymous list of his works, now ascribed to Hesychius, includes the περὶ ῥήτορος ἢ πολιτικοῦ. That of Diogenes Laertius, a work entitled περὶ βασιλείας, said to have been addressed to Alexander²; and a dialogue on colonisation under the name of Ἀλέξανδρος ἢ ὑπὲρ ἀποικίων α' ³. In closer connexion with contemporary history, the δικαιώματα πόλεων ascribed to Aristotle are said to have contained the formal pleas on the points of difference submitted by the Greek states to the arbitration of Philip⁴. A work of far wider scope was that known as the νόμιμα, or νόμιμα βαρβαρικά, of Aristotle. This was a comprehensive account of the institutions of various non-hellenic peoples, including the Etruscans, under the head of νόμιμα Τυρρηνῶν. An abstract of this existed at one time under the name of νομίμων βαρβαρικῶν συναγωγή⁵.

Lastly, there was the work entitled the Πολιτεῖαι, or sketches of the constitutional history of a large number of Hellenic states. Constitutional history, however, was far from forming the sole subject of this extensive work. The numerous fragments that have survived give abundant proof that local legends, national proverbs, and even anecdotes of social life found a place in its pages⁶. It is generally supposed

¹ *De Fin.* v 4, 11, 'cumque uterque eorum (Aristoteles et Theophrastus) docuisset, qualem in republica principem esse conveniret'; *ad Quintum fratrem*, iii 5, 1, 'Aristotelem, quae de republica et praestante viro scribat, ipsum loqui.' Cf. Bernays, *die Dialoge des Ar.* pp. 53, 153.

² Cf. Bernays, *l. c.*, pp. 53, 154; published by Lippert (1891) from an Arabic translation.

³ Bernays, *l. c.*, pp. 56, 156.

⁴ Rose, *Aristotelis qui ferebantur librorum fragmenta*, (Teubner) 1886, frag. 612—614.

⁵ *ib.* frag. 604—610. Diels (Berlin Academy, 30 July, 1891) suggests that pap. ix p. 29 of the Flinders Petrie papyri is an excerpt from the νόμιμα βαρβαρικά.

⁶ Rose, *Aristoteles Pseudepigraphus*, p. 395; *Fragmenta*, 381—603, ed. 1886.

that the great collection of facts comprised in the *Πολιτεῖαι* formed the materials for the composition of the *Politics*. It will be shewn at a later point that the 'Αθηναίων πολιτεία in particular was not completed until about nine years after the latest date recorded in the *Politics*; but this fact is not inconsistent with the materials collected for the *Πολιτεῖαι* being used in the *Politics* even before they had themselves been reduced into their present form. As regards the comparative value of the two works, the general character of the fragments of the *Πολιτεῖαι* shews that it would be going too far to say that we could wish that the *Πολιτεῖαι* were 'preserved, even at the expense of the extant book on the theory of politics', especially when we reflect that, in the words of the writer just quoted, 'the *Politics* are confessed on all hands to be the ripest and fullest outcome of Greek political experience'¹.

The treatise known as the 'Αθηναίων πολιτεία formed part of the vast collection of *Πολιτεῖαι* which the unanimous voice of antiquity ascribed to the pen of Aristotle. In tracing the literary history of the *Πολιτεῖαι* we must necessarily begin with the well-known story of the fate of Aristotle's library, which is told in full by Strabo (p. 608—9), and more briefly touched upon by Plutarch (*Sulla*, 26). On the death of Aristotle, in 322 B.C., his library passed into the possession of his pupil, Theophrastus, who presided over the Peripatetic school at Athens until his death in 287. The library of Theophrastus, including that of Aristotle, was bequeathed to a pupil of both, named Neleus, who removed it to Scêpsis, an inland town of Asia Minor, in the S.E. of the Troad. From Neleus it passed to his descendants, who were men of neither literary accomplishments nor philosophic tastes. They are described by Strabo as *ιδιωταί*. They were, however, sufficiently conscious of the value of the manuscripts to prevent their being appropriated by the kings of Pergamos, who began to form their famous library about thirty or forty years after the death of Theophrastus. The manuscripts were accordingly concealed in a cellar, where they were exposed to injury from the effects of damp and the depredations of worms. It was probably after the death of the last of the Pergamene Kings in B.C. 133, that they were sold to Apellicon of Teôs, a wealthy adherent of the Peripatetic school at Athens. On examination they were found to contain many compositions which were unknown to the successors of Theophrastus at the head of the Lyceum. Their owner caused them to be copied; but, as he was 'more of a *bibliophile* than a philosopher', the transcripts published under his care proved to be far from accurate. In 86 B.C. Athens was captured by Sulla, and the library of Apellicon was taken to Rome. It was there placed under the charge of a librarian, by whose

¹ Mahaffy's *Hist. of Classical Gk. Literature*, ii 414.

permission it was properly arranged by a learned Greek, a friend of Cicero and a preceptor of Strabo (p. 548), named Tyrannion. Copies were obtained from Tyrannion by Andronicus of Rhodes, who classified the works according to subjects¹, published them, and drew up the lists which were current in the time of Plutarch².

On the strength of this last statement it has been supposed that all the extant lists of Aristotelian writings are to be ultimately traced to Andronicus³. But, even before his time, the successors of Theophrastus possessed copies of a few at least of the works of Aristotle, chiefly of the exoteric or popular class⁴. As examples of these, the list suggested by Grote⁵ includes the dialogues; the legendary and historical collections; and the constitutional histories of various Hellenic cities. Thus, the *Πολιτεῖαι* may have been known to the successors of Theophrastus even before the library of Aristotle was for a time restored to Athens more than two centuries after the owner's death. But, to show that the fate of Aristotle's writings did not entirely depend on the fortunes of the library buried in the vault at Scêpsis, we have abundant proof of some of them being familiar to the philosophic world during the interval in which his library itself was lost to view⁶; and it is probable that many of them, including those of more general interest, were at an early date transcribed at Athens and thence transmitted to the great library at Alexandria.

In the case of Theophrastus, we know for certain that lists of his works were drawn up, not only by Andronicus of Rhodes, but also by Hermippus of Smyrna, who lived till about the end of the third century B.C. and was a pupil of Callimachus, the chief librarian of the Alexandrian Museum⁷. Such a list is preserved by Diogenes Laertius⁸, with the titles arranged in alphabetical order. The corresponding list of the writings of Aristotle is not in the order of the alphabet, but is arranged with a certain degree of method under 146 titles as follows. "First we have the dialogues and other exoteric works, then two or three early abstracts of Platonic lectures or writings, then we come to a part of the list in which logical works seem to predominate; ethical, political and

¹ Porphyry, *life of Plotinus*, c. 24, p. 117 Didot.

² Plut. *Sulla*, 26; cf. Grote's *Aristotle*, i pp. 50—54, and Shute's *History of the Aristotelian Writings*, p. 29—39.

³ Rose, *Ar. Pseud.*, p. 8; *Frag.* (1886) p. 1.

⁴ Strabo, p. 609, *συνέβη δὲ τοῖς ἐκ τῶν περιπάτων τοῖς μὲν πάλαι τοῖς μετὰ Θεόφραστον οὐκ ἔχουσιν ὅλως τὰ βιβλία πλήν ὀλίγων, καὶ μάλιστα τῶν ἐξωτερικῶν.*

⁵ *Aristotle*, p. 55.

⁶ Zeller, *Phil. d. Griechen*, II ii p. 145—153.

⁷ Schol. in Theophr. *Met.* τοῦτο τὸ βιβλίον Ἀνδρόνικος μὲν καὶ Ἑρμιππος ἀγνοοῦσιν. οὐδὲ γὰρ μνείαν αὐτοῦ ὅλως πεποίηται ἐν τῇ ἀναγραφῇ τῶν Θεοφράστου. Heitz, *die Verlorenen Schriften des Ar.*, p. 47. Susemihl, *Ar. über die Dichtkunst*, 1865, p. 17; and *Gr. Litt. in der Alexandrinerzeit*, i 492, 494 note 11.

⁸ V 21—27.

rhetorical works predominate towards the middle; then come physical and zoological works; last in order we have works designed in all probability for Aristotle's own use ('hypomnematic works'), letters and poems¹. The arrangement seems hardly sufficiently precise to be that of Andronicus, who is said to have introduced the plan of grouping the writings according to their subject-matter²; and this is not the only reason for regarding it as independent of Andronicus³. It has in fact been conjecturally ascribed to Hermippus, and has been generally supposed to be founded on the catalogue of Aristotle's works in some great library like that of Alexandria. In a subsequent passage (v 34) Diogenes observes that the books enumerated were nearly 400 in number. He even adds that their genuineness was not contested by any one⁴.

There is a second list, ascribed to Hesychius and containing only 127 titles, 27 of those in Diogenes being here omitted and 8 added in their place⁵.

A third list, ascribed to 'Ptolemy the philosopher,' is found in an Arabic translation only. This includes 92 titles. It is certainly later than the time of Andronicus, as one of the titles relates to certain treatises found in the library of *Almikum* (*Ablikun* or *Atlikun*), the Arabic form of Apellicon.

In all three lists the *Πολιτεῖαι* are included. In I. they appear as the 143rd item:—*πολιτεῖαι πόλεων δυοῖν δεούσαιν ρξ* (sc. 158), <κοιναι> καὶ ἴδιαι, δημοκρατικά, ὀλιγαρχικά, ἀριστοκρατικά, τυραννικά.

In II 135 the title is *πολιτείας πόλεων ἰδιωτικῶν καὶ δημοκρατικῶν καὶ ὀλιγαρχικῶν* <καὶ> ἀριστοκρατικῶν καὶ τυραννικῶν ρνη (158).

In III 81 the Arabic description is translated as follows: 'liber quem inscripsit de regimine civitatum et nominatur *bulitija*, et est liber in quo commemoravit regimen populorum et civitatum plurium e civitatibus Graecorum et aliorum earumque relationem (originem? cognationem?); numerus vero populorum et civitatum quarum meminit [in eo] CLXXI [civitates magnae]⁶'.

In III the number of the *πολιτεῖαι* is given as 171; whereas I and II agree in making it 158. The ancient Latin Version of the life of Aristotle states the number as 250; while, among the early expositors of Aristotle, Elias twice gives the same number, and Ammonius has

¹ Mr W. L. Newman's ed. of *Ar. Pol.* vol. i p. vi.

² Porphyry, ref. on p. xvi, note 1.

³ Zeller, II ii, 51 f.

⁴ Grote's *Ar.* i 40.

⁵ First published by Ménage on Diog. vol. ii 201. The same list was found by

Rose in two MSS in the Ambrosian library at Milan (*A. P.* p. 709). All the lists are given by Rose in the Berlin *Ar.*, vol. v 1463—1473, and in the Teubner text of the *Fragmenta*, pp. 3—22.

⁶ Rose, *Frag.* pp. 8, 16, 21³.

250. The higher estimate is either a mere mistake, or has arisen from including among the πολιτεῖαι certain of the νόμιμα βαρβαρικά. The latter view is confirmed by the fact that one of our authorities for the larger number¹ mentions it in immediate connexion with the statement that Aristotle accompanied Alexander on his expedition to the East, even as far as 'the land of the Brahmins,' where (according to this imaginative commentator) he actually compiled 'the 255 πολιτεῖαι'; while the estimates of Elias are in both cases given in a similar connexion. We may therefore discard the larger number, and accept 158 as resting on better authority².

The total number of πολιτεῖαι included in modern collections of their fragments is 99. In 51 of these the name of Aristotle and the title of the πολιτεία are expressly mentioned, generally thus: 'Αριστοτέλης ἐν τῇ —ων πολιτείᾳ. In 16 others, Aristotle is cited, but the name of the state is not given, though it can be inferred from the contents of the passage. Lastly, out of the total number of 80 states mentioned in the *Politics*, there are 32 that are not named in the fragments already enumerated, but which may fairly be assumed to have been included in the original work. Thus we have a list of 51 + 16 + 32, or 99 states, more than half of which (51) are represented by fragments in which the title of the work, as well as the name of Aristotle, is mentioned, while in more than two-thirds (67 out of 99) the name of Aristotle occurs. The three classes are as follows:

I (51)			II (16)		III (32)	
'Αθηναίων	'Ιμεραίων	Μηλιέων	'Αντανδρίων	'Αμφιπολιτῶν	Καρχηδονίων	
Αἰγινητῶν	Κείων	Ναξίων	'Ατραμνηνῶν	'Αντισσαίων	Καταναίων	
Αἰτωλῶν	Κερκυραίων	Νεοπολιτῶν	'Επιδαυρίων	'Απολλωνιατῶν	Κλαζομενίων	
'Ακαρνάνων	Κιανῶν	'Οπουντίων	Θηβαίων	'Απολλωνιατῶν	Κνιδίων	
'Ακραγαντίνων	Κολοφονίων	'Ορχομενίων	'Ιασέων	ἐν Πόντῳ	Κώων	
'Αμβρακιωτῶν	Κορινθίων	Παρίων	Κρητῶν	'Αρυδηνῶν	Λαρισσαίων	
'Αργείων	Κυθνίων	Πελληνέων	Κροτωνιατῶν	'Αφυταίων	Λεοντίνων	
'Αρκάδων	Κυμαίων	Σαμίων	Κυθηρίων	Βυζαντίων	Μαγνήτων	
'Αχαιῶν	Κυπρίων	Σαμοθράκων	Μηλίων	'Επιδαμνίων	Μαντινέων	
Βοττιαίων	Κυρηναίων	Σικυνίων	Μιλησίων	'Ερετριέων	Μολοσσῶν	
Γελφῶν	Λακεδαιμονίων	Σινωπέων	'Ρηγίων	'Ερυθραίων	Μυτιληναίων	
Δελφῶν	Λευκαδίων	Συρακοσίων	'Ροδίων	'Εστιαίων	'Ροδίων	
Δηλίων	Λοκρῶν	Ταραντίνων	Σολέων	Ζαγκλαίων	Φαρσαλίων	
'Ηλείων	Λυκίων	Τεγεατῶν	Συβαριτῶν	'Ηραιέων	Χαλκιδέων	
'Ηπειρωτῶν	Μασσαλιωτῶν	Τενεδίων	Τηρίων	'Ηρακλεωτῶν	Χίλων	
Θετταλῶν	Μεγαρέων	Τροιζηνίων	Χαλκηδονίων.	Θηραίων	'Ωρευτῶν.	
'Ιθακησίων	Μεθωναίων	Φωκαϊέων.		'Ιστριέων		

¹ *Vita Ar. vulg.*, Rose, *Frag.* p. 258³.

² A division of the πολιτεῖαι into genuine and spurious seems to be im-

plied by Simplicius, in *Ar. Categ.* p. 27 a 43 Brandis, ἐν ταῖς γνησiais αὐτοῦ πολιτεiais. But it has been proposed either

The πολιτεῖαι are said to have been arranged in the order of the alphabet¹. Some have seen indications of this in the reading preserved in a single MS of Harpocration, s.v. *θεσμοθέται* :—'Ἀριστοτέλης ἐν τῇ ᾧ Ἀθηναίων πολιτεία, and also in the phrase in Photius, s.v. *σκυτάλη* :—ὡς Ἀριστοτέλης ἐν τῇ Ἰθακησίων πολιτεία *μβ*. Here the πολιτεία of Ithaca appears to be described as 42nd in the series. If we test this by taking the 99 extant titles of πολιτεῖαι as the basis of our calculation, Ithaca, which is 37th in the list of 99, would have been 58th in the complete list of 158; if, again, we take the 67 titles in which Aristotle is named, Ithaca, which is 21st of the 67, would have been 50th in the complete list; if the 51 in which the name of the particular πολιτεία is specified, Ithaca, which is 17th of the 51, would have been 52nd, not 42nd. This calculation, of course, assumes that in the longer list, the names in alphabetical order are distributed in the same proportion as in the shorter lists. But it is highly probable that *μβ* is a corruption of either *μέμνηται* or (as proposed by Bergk) *μαρτυρεῖ*. If so, we cannot rely on this phrase as proof of an alphabetical order. Besides, if the order was alphabetical, it was unnecessary to specify the number of any particular treatise. Such an arrangement, however, although not attested with any certainty, is natural in itself, and the constitution of Athens would in any case have occupied the first place.

§ 3. *On the evidence of ancient authorities as to the authorship of the Πολιτεῖαι.*

We may now proceed to review in chronological order the successive quotations from the Πολιτεῖαι which are preserved in ancient authorities.

Firstly, there is reason to believe that the historian PHILOCHORUS, writing before 306 B.C., or less than 20 years after the composition of the Ἀθηναίων πολιτεία, quoted that work as Aristotle's. The grounds which have been suggested for this belief are as follows :—

(1) The Scholium on Arist. *Vesp.* 1223 includes a quotation from Ἀθ. πολ. 13, ll. 16—20; the latter part of that Scholium coincides with one on *Lys.* 58 which is proved by Strabo, p. 392 c, to come from Philochorus. Hence it is possible that the whole of the Schol. on *Vesp.* 1223 really comes from Philochorus, and that Philochorus is our real authority for the citation from the Ἀθ. πολ. (2) In the term ἀποψηφισθῆναι τὸ ἄχθος (*Frag.* 57), Philochorus appears to be correcting or explaining the phrase τὸ ἄχθος ἀποσεύσασθαι,—probably a reminiscence of ἀποσεύσμενοι τὸ βάρος in Ἀθ. πολ. 6 § 1. (3) In Plutarch's *Life of Themistocles*, 10, Aristotle is cited as

to alter πολιτείας into ἐπιστολαῖς (Ideler, in *Ar. Meteor.* i xii n. 40), or (with greater probability) to regard γνησίαις as a corruption of the number ρνη (158); Heitz, *Frag.*

Ar. p. 223 a.

¹ κατὰ στοιχεῖα, Elias, ap. Rose, *Frag.* p. 258⁸, l. 29.

authority for a statement respecting the action of the Areopagus immediately before the battle of Salamis ('Αθ. πολ. 23 § 1). Cleidemus, the author of an 'Ατθίς, is next quoted as asserting that this action was due to the wiles of Themistocles. Then follows the story of the dog of Xanthippus which, in Aelian, *de Natura Animalium*, xii 35, is attributed to 'Aristotle and Philochorus.' It has been plausibly suggested that Aelian had read an extract, ultimately derived from Philochorus, on the events immediately preceding the battle of Salamis, in which the name of Aristotle may have occurred in connexion with the account of the action of the Areopagus, and in which the story of the dog of Xanthippus was also related. This may have lead Aelian to make the mistake of quoting Aristotle, as well as Philochorus, as authorities for the story about the dog. If, as is not improbable, the whole of the narrative in Plutarch comes from Philochorus, then Philochorus, and not Plutarch, is our authority for attributing to Aristotle the quotations from the 'Αθ. πολ. respecting the action of the Areopagus. This implies that 'a careful historical student and critic, who lived and wrote at Athens in the generation immediately following Aristotle's,' accepted the 'Αθηναίων πολιτεία as the work of Aristotle himself¹.

An early notice of the Πολιτεῖαι may also be traced in the attack made by TIMAEUS on Aristotle's account of the origin of the Greek colony of Locri Epizephyrii. Timaeus was born about 352 B.C. (or 30 years before the death of Aristotle), was banished from Tauromenium in 310, and from about that time resided in Athens for more than 50 years, dying about 256 B.C. The evidence for this attack on the part of Timaeus is to be found in Polybius, who rejects the view of Timaeus, and emphatically supports the account given by Aristotle². From a subsequent passage it appears that the attack of Timaeus was directed against Theophrastus as well. We are not told in which of Aristotle's works the description of the origin of Locri was to be found, but it is reasonable to suppose that it was the Πολιτεῖαι. The only other possible work would have been the 'Αλέξανδρος περὶ ἀποικιῶν, which is now represented by its title only. Now Timaeus was in Athens for 23 out of the 35 years during which Theophrastus presided over the Lyceum as the successor of Aristotle. He had thus exceptional opportunities for becoming acquainted with Aristotle's writings, and with the traditional knowledge of them preserved by the Peripatetic School; and he may fairly be quoted to prove that within 66 years of the death of Aristotle, one of the Πολιτεῖαι was attributed to that author.

The Πολιτεῖαι appear to have been also quoted by PHILOSTEPHANUS of Cyrene, the author of works entitled περὶ εὐρημάτων and περὶ νήσων, who lived under Ptolemy Philopator (B.C. 222—206). 'Aristotle' and Philostephanus are quoted by Varro (apud Servium ad Verg. *Georg.* i 19) and by Pliny (*N. H.* vii 57); and it has been conjectured

¹ Abridged from Prof. J. H. Wright's article in the *American Journ. of Philology*, xii 3, 310—318.

² Polyb. *Excerpta libri* xii 5—8, and 11; Rose, *Frag.* 547³; cf. Heitz, *Verl. Schr.* p. 243, and Shute, *l. c.*, p. 39.

that Varro and Pliny took their quotations of Aristotle at second-hand from Philostephanus¹.

It was probably in the middle of the second century B.C. that excerpts from the Πολιτεῖαι were made by HERACLEIDES LEMBOS, who appears to have followed his original with an almost slavish fidelity. We have only fragments of these excerpts under the title ἐκ τῶν Ἡρακλείδου περὶ πολιτειῶν².

CICERO refers as follows to the Πολιτεῖαι and νόμιμα βαρβαρικά of Aristotle, as well as to the work of Theophrastus περὶ νόμων:—*omnium fere civitatum non Graeciae solum sed etiam barbariae ab Aristotele mores instituta disciplinas; a Theophrasto leges etiam cognovimus* (*de Fin.* v 4 § 11); but there is no proof of any direct acquaintance with the text of the Πολιτεῖαι³. In the *de Officiis*, ii 18, he quotes, as from Theophrastus, the account of the liberality of Cimon which we find in c. 27 of the Ἀθηναίων πολιτεία. In the *de Senectute* § 72 he tells an anecdote about Solon and Peisistratus without showing any knowledge of c. 14 of that treatise. Similarly, in *de Officiis*, i 75, he writes of Solon and Themistocles with reference to the Areopagus without betraying any close acquaintance with chapters 23 and 25. Whatever knowledge he possessed as to the contents of those chapters was probably obtained second-hand from his authority, Panaetius, who, as we know from Cicero himself (*de Fin.* iv 28 § 79), constantly quoted from Plato, Aristotle, Xenocrates, Theophrastus and Dicaearchus. About Dicaearchus in particular Cicero writes to Atticus in glowing terms:—in his Tusculan villa he has been reading with admiration that author's account of the constitution of Pellene, while he fancies that his library at Rome contains a copy of the Constitutions of Corinth and of Athens⁴. These

¹ Rose, *A. P.*, pp. 410, 534; Susemihl, *Gr. Litt. in der Alexandrinerzeit*, i 476.

² Heracleides Lembos, probably born at Kallatis in Pontus, was the author of an extensive compilation called Ἱστορίαι. He flourished under Ptolemy VI, Philometor (181—146). Cf. Susemihl, *u. s.*, i 503—5. (Rühl even supposes that he was the editor of the Ἀθ. πολ. in its present form.)

The author of the excerpts is, however, regarded by Rose (in his *A. P.*, p. 532) as far later in date, and as having borrowed his excerpts from Didymus (who was born B.C. 63). But the part played by Didymus in transmitting the knowledge of the Πολιτεῖαι to a later time has been much exaggerated, and the form in which the excerpts from Heracleides have reached us is hardly worthy of the industrious and intelligent

critic from whom they are supposed to have been derived.—See also Prof. Wright in *Harvard Studies*, iii 15, and Holzinger in *Philologus*, vol. 50, p. 436. *Infra*, p. 250.

³ See also Shute, *l. c.*, p. 72.

⁴ *Ad Att.* ii 2, Ἡελληναίων in manibus tenebam et hercule magnum acervum Dicaearchi mihi ante pedes exstruxeram. O magnum hominem! et unde multo plura didiceris quam de Proclio. Κορινθίων et Ἀθηναίων puto me Romae habere. Mihi crede, leges;...mirabilis vir est.' Heitz, *Verl. Schr.*, p. 244, considers that these may have formed part of the βλος Ἑλλάδος of Dicaearchus. Bergk, *Rhein. Mus.* 1881, p. 113 n. 2, suggests that the reference is to the Πολιτεῖαι of Aristotle. He would alter *Dicaearchi* into *Dicaearchiae* (i.e. 'at Puteoli'); but his suggestion (with the textual alteration which it involves) seems very improbable.

Constitutions may well have been written in imitation of the earlier work ascribed to Aristotle; and the imitation may have been sufficiently close to lead to the contents of the *Πολιτεῖαι* of Aristotle becoming known to later writers through the medium of Dicaearchus¹.

It has been conjectured that many of the quotations from the *Πολιτεῖαι* in later authors were taken second-hand from the works of Alexandrian scholars such as Didymus Chalcenterus, and his successor, Pamphilus². Didymus was born in 63 B.C. and compiled a Lexicon of Tragic and Comic Diction, while among the lexicographical works of Pamphilus, who flourished in 20 B.C., was one entitled *Ἀττικά καὶ λέξεις*. The scholiast on Aristophanes, *Aves* 471, quotes Aristotle *ἐν τῇ Σαμίων πολιτείᾳ*, as well as the comic poet, Plato; and such a scholium may readily have been derived from Didymus³; but the indebtedness of later writers to this able and industrious compiler has been greatly overrated; and, now that we know of the actual existence of copies of the *Ἀθηναίων πολιτεία* at a time when it was supposed to have been hopelessly lost, there is less reason for attributing to the interposition of Didymus a knowledge of the *Πολιτεῖαι* which may easily have been derived from the work itself. It has further been supposed that some of the accounts of remarkable phenomena found in later collections, such as the *Θαυμάσια Ἀκούσματα* of various writers, may have been originally borrowed from the *Πολιτεῖαι*. Thus, Antigonus of Carystus, who probably lived in the time of Ptolemy Philadelphus, in his *Ἱστορῶν Παραδόξων Συναγωγῇ* (144), quotes from Callimachus a description by Aristotle of the two fountains of the Sun in the temple of Zeus Ammon. This description may have been derived from the *Πολιτεία* of Cyrene⁴.

In the age of Augustus, the *Πολιτεῖαι* are not quoted by DIONYSIUS of Halicarnassus, who, however, refers to the *Τυρρηγῶν Νόμιμα*, which formed part of the *Νόμιμα Βαρβαρικά* ascribed to Aristotle⁵.

STRABO (who belongs to the same age) refers in general terms to Aristotle in connexion with Elis (Rose, *Frag.* 493³), Argos (482), Epidaurus (491), Tenedos (594), and Chalcis (601. 603). In a single passage (on p. 321—2), after stating that the migrations of the Leleges are attested by αἱ Ἀριστοτέλους πολιτεῖαι, he appeals to no less than four of them as his authorities, *viz.* those of the Acarnanians, Opuntians, Megarians and Leucadians. When we remember that the story of the recovery of the lost library of Aristotle is told by Strabo (doubtless on

¹ Heitz, *Verl. Schr.*, p. 244.

² Rose, *A. P.*, p. 400; Heitz, *Verl. Schr.* p. 244, and *Ar. Frag.* p. 219.

³ Rose, *A. P.*, p. 521.

⁴ Rose, *Frag.* 531³; *A. P.* p. 487;

Heitz, *Verl. Schr.* p. 245.

⁵ Rose, *Frag.* 609³.

the authority of his preceptor Tyrannion), we are not surprised at finding in his pages not a few traces of a first-hand acquaintance with the Πολιτεῖαι. Nevertheless, the fact that only a comparatively small number of the πολιτεῖαι are noticed in Strabo has led to the supposition that he had no direct knowledge of that work¹.

PLINY the elder (23—79 A.D.) names Aristotle as his authority mainly on the geography of several of the Greek islands (Tenos, Delos, Melos and Samos), and also in connexion with Argos, Thebes and Chalcis. One of his references may be traced to the Νόμιμα Βαρβαρικά. He also states that, according to Aristotle, the art of painting was introduced into Greece by *Euchir*, *Daedali cognatus* (Rose, *Frag.* 382³); but there is no sufficient warrant for referring this to a lost passage of the Ἀθηναίων πολιτεία. Pliny's references to Aristotle may safely be regarded as taken at second hand². This has also been assumed, but with perhaps less justice, in the case of Plutarch (c. 46—120 A.D.).

PLUTARCH repeatedly mentions Aristotle as his authority:—five times in the life of *Lycurgus*³; once in that of *Cleomenes*⁴; and twice in that of *Pericles*⁵, in passages that may perhaps be traced to the Σαμίων πολιτεία. In five instances Aristotle is named in connexion with Naxos, Tegea (twice), Troezen and Ithaca⁶; and in two others we may trace the reference to the Νόμιμα Βαρβαρικά⁷. The Ἀθηναίων πολιτεία may fairly be regarded as the source of Plutarch's references to Aristotle in the lives of *Theseus*⁸, *Solon*⁹, *Themistocles*¹⁰, *Cimon*¹¹, *Pericles*¹² and *Nicias*¹³; as also of certain passages in which Aristotle is not actually named¹⁴. At this point it may be interesting to notice two good examples of tacit quotation from the Ἀθηναίων πολιτεία in the pages of Plutarch. In c. 14 § 4 of the πολιτεία we read that, with the aid of Φύη, Megacles restored the exiled Peisistratus ἀρχαϊκῶς (or ἀρχαίως) καὶ λίαν ἀπλῶς: in Plutarch's *Solon* (3 § 5) we find the phrase ἀπλοῦς...λίαν καὶ ἀρχαῖος. Again, in c. 5 § 2 of the πολιτεία, we are told of Solon, εἴλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα Σόλωνα: in the *Amatorius* of Plutarch (18 § 14), a passage that has not hitherto been noticed in this connexion, we find five consecutive words applied to Solon, which are identical with those

¹ Heitz, *Verl. Schr.* p. 244.

² e.g. through Philostephanus of Cyrene.

³ cc. 1, 5, 6, 28, 31; Rose, *Frag.*³. 533—538.

⁴ c. 9; *Frag.*³. 539.

⁵ cc. 26, 28; *Frag.*³. 577—8.

⁶ *Frag.*³. 559, 592, 597, 597.

⁷ *Camill.* 22, and *De Cohibenda Ira* 11; *Frag.*³. 610, 608.

⁸ c. 25 (*Frag.* 384).

⁹ c. 25 (*Frag.* 390 = Ἀθ. πολ. c. 7 § 1, κύρβειος).

¹⁰ c. 10 (*Frag.* 398).

¹¹ c. 10 (*Frag.* 402).

¹² c. 9, 10 (*Frag.* 403, 405).

¹³ c. 2 (*Frag.* 407).

¹⁴ *Solon*, c. 20 (*Frag.* 391), c. 25 (*Frag.* 416).

just quoted,—τοῦτον εἴλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα καὶ νομοθέτην.

In view of such instances it seems difficult to maintain the theory that Plutarch had only a second-hand knowledge of the 'Αθηναίων πολιτεία'. He has even been charged with the incredible carelessness of keeping words such as νῦν unchanged in copying from the intermediate authorities which he is supposed to have followed. Thus, in *Solon*, c. 25, his statement that fragments of the wooden tablets on which the laws of Solon were inscribed were still to be seen in his own day (ἔτι καθ' ἡμᾶς) in the Athenian πρυτανεῖον, was regarded by Rose as a careless transcript from some such phrase in Polemon as διασώζονται δ' ἐν τῷ Πρυτανείῳ². Similarly, in *Lycurgus*, c. 28, ἔτι καὶ νῦν was held to refer to the age of Plutarch's authority Ephorus³. In the former case, at any rate, the statement of Plutarch is corroborated by the evidence of Pausanias (i 18 § 3) who, even at a later date, observes that in the πρυτανεῖον the laws of Solon εἰσὶ γεγραμμένοι. Other quotations in Plutarch are ascribed by Rose to the *Eclogae* and *Collectanea* of previous writers, such as Didymus; but this ascription is not supported by the context of the quotations themselves. Plutarch places the Πολιτεῖαι of Aristotle in the same category as the works of Herodotus, Xenophon, Eudoxus and Aristoxenus, implying that all these writers dealt with important and interesting events in a style that was at once vigorous and graceful⁴. Such is not the language of one whose knowledge of

¹ Prof. J. H. Wright, *The Date of Cylon*, p. 25, observes: 'Most of Plutarch's statements on the affair of Cylon are traceable to Aristotle's *Respub. Ath.* A comparison of Plutarch's account of pre-Solonian affairs with that of Aristotle shows, however, first, that this dependance is not immediate, and, secondly, that there is much admixture of foreign matter'...In the note he refers to 38 passages in Plutarch's *Solon* which bear resemblance to passages in Aristot. *Respub. Ath.*, and are evidently traceable to the latter work. Only once, however, is Aristotle here named (*Sol.* 25 *ad init.*) 'A minute comparison of the wording of these parallel passages, and a consideration of the order in which they occur in the two writers, as also of extraneous matter inserted and of important and illuminating facts omitted, show that Plutarch was certainly not intimately acquainted with the *Respub. Ath.* The resemblances, the dissimilarities, and the discrepancies alike are intelligible only on the supposition that Plutarch was transcribing from some work in which

an abridgment of these parts of the *Respub. Ath.* was embodied. In transcribing from this abridgment he interpolates foreign matter, which is inconsistent with the unabridged Aristotle. The abridgment omitted the main part of cc. 2—4, also c. 13 [§§ 2, 3], as well as many minor statements. The poetical quotations of Plutarch are from a different collection; such as coincide are in a different order...Plutarch's otherwise unaccountable omission in his *Them.* of the characteristic anecdote of Themistocles, Ephialtes, and the Areopagus (*Respub. Ath.* c. 25) may be explained on the hypothesis that the copy of Aristotle's work used by Plutarch did not contain this story. In *Pericles*, Aristotle is cited, but immediately there follow statements as to Pericles which directly contradict Aristotle (cf. Ad. Bauer, *Forschungen*, p. 77, who believes, however, in a first-hand use of *Respub. Ath.* by Plutarch).'

² Preller on Polemon, p. 87.

³ Rose, *A. P.*, pp. 413, 491.

⁴ *Non posse suaviter vivi sec. Epicurum*, c. 10, δταν δὲ μηδὲν ἔχουσα λυπηρόν ἢ

the Πολιτεῖαι was mainly or solely derived from second-hand sources of information.

ZENOBIUS, who flourished in the time of Hadrian (117—138 A.D.), refers to c. 28 of the Ἀθηναίων πολιτεία, and mentions the πολιτεῖαι of Corcyra, Samos, Delphi and Methone (*Frag.*³ 513, 576, 487, 552). He also names Aristotle as his authority for facts relating to Cythnus and Thebes (*Frag.*³ 523, 502).

AULUS GELLIUS (115—180 A.D.) names Aristotle in connexion with Solon's law against neutrality. The law is found in Ἀθ. πολ. c. 8 § 5.

ARISTIDES, one of the most celebrated rhetoricians of the 2nd century (117 or 129—180 A.D.) never mentions the Ἀθηναίων πολιτεία, but the only poems of Solon which he quotes are extracted from those preserved in that treatise; he also paraphrases other passages from those poems and from the text of Aristotle¹.

DIOGENES LAERTIUS (towards the close of the 2nd century A.D.) twice appeals to Aristotle for facts connected with Corinth (*Frag.*³ 516, 517). In the first of these passages he couples him with Ephorus. In a third passage he refers to Aristotle ἐν τῇ Δηλίων πολιτεία (*Frag.*³ 489); but, as the vague plural φασὶν occurs in the previous context, there is no certain proof of first-hand acquaintance with the work in question. In this author, however, we have several parallels to the account of Solon given in the Ἀθηναίων πολιτεία².

POLLUX of Naucratis (*fl.* 180—238 A.D.), who dedicated his Ὀνομαστικόν to Commodus (Emp. 180—192), quotes largely from the Πολιτεῖαι, especially from that of Athens. The latter is his main authority on all points of Athenian law and antiquities³. Many consecutive lines are either transcribed or paraphrased from its pages, e.g. the epigram about Diphilus and a large part of its context in c. 7 § 4. But his debt to the Ἀθηναίων πολιτεία, though vast, is invariably unacknowledged, while the only passage in which he mentions the name of Aristotle in connexion with a term of Attic law, is not

βλαβερόν ιστορία καὶ διήγησις, ἐπὶ πράξεσι καλαῖς καὶ μεγάλαις προσλάβη λόγον ἔχοντα δύναμιν καὶ χάριν, ὡς τὸν Ἡροδότου τὰ Ἑλληνικά, καὶ Περσικά τοῦ Ξενοφώντος, ὅσα δὲ Ὅμηρος ἐθέσπισε θέσκελα εἰδώς, ἢ τὰς περιόδους Εὐδοξος, ἢ κτίσεις καὶ πολιτείας Ἀριστοτέλης, ἢ βίους ἀνδρῶν Ἀριστόξενος ἔγραψεν, οὐ μόνον μέγα καὶ πολὺ τὸ εὐφραῖνον, ἀλλὰ καὶ καθαρὸν καὶ ἀμεταμελητὸν ἐστίν.

¹ Cf. Aristides ii 360, 361 Dind., with Ἀθ. πολ. 5 § 2, 11 § 2, 12 § 5; also p. 535—538 with Ἀθ. πολ. c. 12; and lastly i p. 765, (Σόλων) φασὶ τῆς πολιτείας καταλυθείσης λαβόντα ἀσπίδα καὶ δόρυ καθ-

ῆσθαι πρὸ τῆς οἰκίας, βοηθεῖν μὲν οὐκ ἔχοντα, οἶμαι, ἐνδεικνύμενον δὲ ὡς ἔχει γνώμης, with Ἀθ. πολ. c. 14 § 2.

² Diog. Laert. i §§ 45, 50, 58.

³ Even before the discovery of the Ἀθ. πολ. this fact had been partially ascertained by comparing the language of Pollux with that quoted from the Ἀθ. πολ. in the lexicographers. Cf. Stojentin, *De Iulii Pollucis in publicis Atheniensium antiquitatibus enarrandis auctoritate*, (Breslau) 1875; and Stoewer, *in quibus nitantur auctoribus Iulii Pollucis rerum iudicialium enarrationes*, (Münster) 1888.

found in that treatise, so far as it has been preserved¹. Several of the other πολιτεῖαι are, however, expressly mentioned, viz. that of Acragras (twice in *Frag.*³ 476), Himera (twice in 510), Tarentum (590), Orchomenus (566), and Sicyon (580). In other passages, where Aristotle is named; the information may have been ultimately derived from the Constitutions of Cyprus (527), Rhegium (568), Syracuse (585, 589), Cyrene (529) and Argos (481), or from the *Τυρρῆνων νόμιμα* (608).

ATHENAEUS, who, like Pollux, was a native of Naucratis (*fl. c.* 200 A.D.) expressly mentions the πολιτεῖαι of Aegina (*Frag.*³ 472), Delos (490), Naxos (558), Troezen (596), Thessaly (499), Methone (551), Colophon (515), Massalia (549), Croton (583), Sybaris (584) and Syracuse (588). The name of Aristotle is also mentioned in connexion with Miletus (557); and that of Timaeus with reference to Aristotle's account of Locri (547), which has already been noticed². Aristotle *ἐν Τυρρῆνων νομίμοις* is also quoted (607). It has been conjectured that these quotations may have been taken second-hand from lexicographical works, such as the lexicon to the Comic poets compiled by Pamphilus from that of his predecessor Didymus. This is supported by the fact that on p. 499 Athenaeus twice quotes the comic poet Diphilus; and, between the two quotations, inserts a reference to Aristotle *ἐν τῇ Θεςσαλῶν πολιτείᾳ* to prove that the Thessalians used a feminine form ἡ λάγνος³. But a native of a country, in which, as we now know, copies of the Ἀθηναίων πολιτεία were actually in existence at the time, may well have derived much of his information from the original work. Apart from the British Museum papyrus and the fragments of the Berlin papyrus, both of which came from Egypt, we know of a third copy, which is mentioned in the catalogue of an Egyptian library of the third century A.D.⁴.

HARPOCRATION of Alexandria, the lexicographer of the Attic Orators, who is doubtfully ascribed either to the second, or (less probably) to the fourth century of our era, expressly quotes Ἀριστοτέλης *ἐν Ἀθηναίων πολιτείᾳ* in no less than 50 places. A lost passage in the same treatise is less precisely cited with the phrase *ὡς Ἀριστοτέλης φησί* (381). There are nine other πολιτεῖαι which he mentions by name, those of Arcadia, Elis, Thessaly, Cythnus, Cyprus, Sparta, Massalia, Opus and Pellene. The quotations from the Ἀθηναίων πολιτεία are so numerous and so precise, that it may fairly be assumed that they were taken at first-hand from the treatise itself.

CLEMENT of Alexandria (*ob.* 220 A.D.) quotes the πολιτεῖαι of

¹ Pollux viii 62, *παράβολον* (*Frag.*³ 456); cf. iii 17, *τριτοπάτωρ* (*Frag.*³ 415).
² p. xx.

³ Rose, *A. P.*, p. 471, *Frag.* 499³.

⁴ Zündel in *Rhein. Mus.* 1866, p. 432.

Phocaea and Locri, and refers in more general terms to that of Sparta (*Frag.* 599, 548, 535); while AELIAN (*fl.* 250 A.D.) tells the story of the usurpation of Peisistratus in language almost identical with that of c. 14 of the Ἀθηναίων πολιτεία.

HESYCHIUS of Alexandria, who belongs to the end of the fourth century, or (more probably) to the fifth, is a compiler from earlier authorities, the best of whom is Diogenianus of Heraclea (of the time of Hadrian). The lexicon of Hesychius expressly quotes the Constitution of the Opuntians (*Frag.*³ 563), and names Aristotle as the authority for statements respecting Cyrene (528), Corcyra (513) and Sparta (541). The second of these items may, however, be traced back to Zenobius. Not a few articles are ultimately founded on the Ἀθηναίων πολιτεία, though neither the work is named, nor its author. Such are the articles on ἀδύνατοι (Ἀθ. πολ. 49 § 4), ἀπὸ συμβόλων δικάζειν (59 § 6), Βουζύγης (*Frag.* 386), βουλευσεως ἔγκλημα (Ἀθ. πολ. 57 § 3), δήμαρχοι (21 § 5), διαμετρημένην ἡμέραν (col. 35, 3), ἱππᾶς (7 § 4), and ἵππου τροχός (49 § 1). To the same source may be traced the articles on Διονύσου γάμος and Ἐπιλύκειον (3 § 5), and also on ἔδραι βουλῆς (30 § 4), and χαλκοῦν πινάκιον (63 § 4).

PHOTIUS, the patriarch of Constantinople (815—891 A.D.), states that excerpts from the πολιτεῖαι of Aristotle, viz. from those of Thessaly, Achaia, Paros, Lycia and Ceos, were included in the twelfth book of the historical selections of Sopater (sixth cent.)¹. In his *Lexicon*, the Ἀθηναίων πολιτεία is mentioned in the articles on ναυκραρία (Ἀθ. πολ. 8 § 3), and ὑπὲρ τὰ Καλλικράτους (28 § 3): the latter may, however, be traced back to Zenobius. The πολιτεῖαι of Sparta, Samos and Ithaca are expressly cited (*Frag.*³ 586, 575, 509); and Aristotle is named in several articles², including one on πελάται (Ἀθ. πολ. 2 § 2). During the embassy 'to the Assyrians' the patriarch perused and epitomised no less than 280 volumes, many of which are now lost; but there is nothing to prove that the Ἀθηναίων πολιτεία was included among them.

TZETZES of Constantinople (born c. 1120 A.D.) refers to the πολιτεῖαι of Orchomenus (*Frag.*³ 505) and Ithaca (504 and 508). Of the last two references the former is also found in the *Etymologicum Magnum*; so that possibly all three may have been borrowed from earlier sources. The lexicon last named, *s.v.* ἱεροποιοί, expressly quotes Aristotle ἐν τῇ Ἀθηναίων πολιτείᾳ (c. 54 § 6), and has a short article as δατητής (*Frag.* 422) which may be traced to Harpocration (c. 56 § 6). It also names Aristotle in connexion with Cumae (*Frag.* 525), and we know that this article comes ultimately from the Πολιτεῖαι.

¹ Phot. *Bibl. Cod.* 161, p. 104 b 38, quoted by Rose, *A. P.* p. 401, *Frag.*³ p. 258.

² *Frag.*³ 496, 541, 593, 554.

EUSTATHIUS of Constantinople, archbishop of Thessalonica (who died c. 1198) refers to the *πολιτεῖαι* of Sparta (545) and Ithaca (506), and names Aristotle in a passage which comes from the *πολιτεία* of Thessaly (437). But there is no proof of direct acquaintance with any of the *πολιτεῖαι*. His only notice of the *Ἀθηναίων πολιτεία* (c. 44 § 1) is borrowed from Telephus of Pergamos who lived under Hadrian and (among other works) wrote on the Laws and Customs, and on the Lawcourts of Athens.

Thus far we have surveyed in chronological order the writers who, either at first or second hand, quote from the *Πολιτεῖαι* of Aristotle. We have still to notice a few anonymous citations.

(1) The unknown author of the *ὑπόθεσις* to the *Areopagiticus* of Isocrates, a Christian writer of perhaps the sixth century, is the only person who quotes the anecdote in c. 25 respecting the part ascribed to Themistocles in the overthrow of the Areopagus¹.

(2) The *Scholia* to Aristophanes refer to the *Ἀθ. πολ.* in no less than thirteen places². They also expressly quote the *πολιτεῖαι* of Sparta and Samos, and name Aristotle in connexion with Orchomenos, Corcyra and Cyrene. Many of the *Scholia* on Aristophanes are derived from Aristophanes of Byzantium and his pupils Callistratus, Aristarchus and Didymus; as well as from the Pergamene scholars, Herodicus and Asclepiades. The earlier *Scholia* were drawn up in the 3rd century A.D.; while the later *Scholia* go down as far as the age of Thomas Magister and Triclinius (end of 13th cent.).

The *Scholia* on Sophocles cite Aristotle for a fact mentioned in *Ἀθ. πολ.* 60 § 2; those on Euripides quote from the *πολιτεῖαι* of Sparta (*Frag.* 544) and Thessaly (498), and name Aristotle in connexion with terms relating to the *πολιτεία* of Cumae (524—5). Those on Homer give us evidence as to the *πολιτεῖαι* of Iasos and Samos (503 and 571); those on Pindar cite the *πολιτεῖαι* of Sparta, Syracuse and Gela (*Frag.* 532, 587, 486), and name Aristotle in connexion with Aegina, Rhodes, Crete, Acarnania, Opus and Locri. Those on Plato quote Aristotle for facts which may be traced to the *πολιτεῖαι* of Athens (385) and Thessaly (498). Those on Apollonius Rhodius refer to the *πολιτεῖαι* of Samos and Samothrace, Sinope and Tegea, Corcyra and Kios in Mysia; those of Theocritus refer to Croton, Ceos and Crete³. The *Scholia* on

¹ Rose, *A. P.*, p. 423, no. 359; *Frag.* 404³.

² *Ἀθ. πολ.* 7 § 1 (**Av.* 1354); 15 § 3 (**Ach.* 234); 19 § 3 (**Lys.* 665), § 4 (*Lys.* 1153), § 6 (*Vesp.* 502); 21 § 5 (*Nub.* 37); c. 28 § 3? (*Vesp.* 684); 34 § 1 (*Ran.* 1532), § 3 (*Vesp.* 157); 34 ult. (*Vesp.* 157); 54 § 2 (*Vesp.* 691); col. 32, 8—15 (**Plut.* 278); col. 36, 3—9 (*Æg.*

1150). In four of these places (marked with an asterisk) the title is given in full: *Ἀρ. ἐν Ἀθ. πολ.*; in two (*Vesp.* 157, 684) the form is *Ἀρ. ἐν πολιτεῖαις*.

³ In the *Schol.* on Theocr. iv 7 we are told that the Olympic crown *ἐκ τῆς καλλιστοῦς ἢ καλλιστεφάνου ἐλαίας γενόμενος δίδοται*, ἥτις ἀπέχει σταδίων ὀκτώ ὡς φασιν (sic) *Ἀριστοτέλης*. This is less

Aeschines contain no express mention of Aristotle, but they include several items of information ultimately derived from the Ἀθηναίων πολιτεία¹.

It will be observed that the references to the Πολιτεῖαι, which have now been enumerated, extend over a period of no less than fifteen centuries, and attest different degrees of acquaintance with the work in many parts of the ancient world, chiefly in great centres of learning, such as Alexandria and Constantinople. In the case of the Ἀθηναίων πολιτεία, the exact degree to which the text of the treatise was known to those who refer to it, may in general be traced in the *Testimonia* which are printed below the critical notes in the present edition. All the external evidence is in favour of ascribing the Πολιτεῖαι to Aristotle.

§ 4. *The later literature of the Πολιτεῖαι.*

After the revival of learning in Italy it was Francesco Patrizzi who, in the course of a calumnious attack on the personal character and philosophical authority of Aristotle, unconsciously did some little service to the cause which he impugned by investigating the earlier sources of information as to the lost works of Aristotle. In his *Discussiones Peripateticae*, published in 1571 at Venice, and reprinted ten years later at Basel, he made the first attempt to collect their fragmentary remains². Patrizzi's collection was included in Casaubon's Aristotle (1590), and in 1593 a more comprehensive edition was promised by Casaubon himself³. The lost πολιτεῖαι are also mentioned by the learned Selden⁴, but meanwhile Casaubon's promise remained unfulfilled. The importance of the fragments was noticed by Niebuhr⁵ and others.

It was not until 1827 that C. F. Neumann, then living at Munich, published his *Aristotelis Rerumpublicarum Reliquiae*, including fragments from 50 of the πολιτεῖαι, the number traced to the Ἀθηναίων πολιτεία being 59 in all. In 1843 a similar collection was published by H. A. Van Dyck at Utrecht. These were superseded by Carl Müller's edition in the *Fragmenta Historicorum Graecorum*, Paris (Didot), 1848, in which the editor says of Neumann's work: *qui quidem libellus nullius nobis usus esse potuit: tam supina est auctoris negligentia*. The total number of πολιτεῖαι in this new collection is 95, and the fragments of the Ἀθηναίων πολιτεία have now risen in number to 74.

This collection served as the foundation for a still more extensive

likely to have been derived from the θαυμάσια ἀκούσματα than from the πολιτεία of Elis.

¹ Ἀθ. πολ. 28 § 3, 57 § 3, 59 §§ 1, 2.

² Hallam, *Lit. of Europe*, ii 6, ed.

1854; Heitz, *Verl. Schr.*, p. 1.

³ Note on Diog. Laert. p. 76, ed. 1615.

⁴ *De jure naturali &c.*, Opera i i 74—5.

⁵ *Hist. Rom.* i 20, p. 12 of 3rd Eng. ed.

work by Valentine Rose. In his *Aristoteles Pseudepigraphus* (1863), we have 213 fragments, 89 of which are assigned to the 'Aθ. πολ. Rose's second edition of these fragments was included in Vol. v of the Berlin edition of Aristotle (1870), with three new fragments (445, 470, 511) from the *πολιτεῖαι* of Delphi, Corcyra and Methone published by a French scholar from a MS of Zenobius discovered on Mount Athos¹. Lastly, in 1886 Rose's third edition was published by Teubner; the number of fragments is now 223, and of these 91 are traced to the 'Aθ. πολ., the two new fragments being no. 413 and 429 (corresponding to c. 3 § 5 and 52 § 1).

Meanwhile, in 1869, the fragments had been edited by Emil Heitz, the able author of *Die Verlorenen Schriften des Aristoteles* (1865). This edition was practically simultaneous with the second edition by Rose which, although printed in 1867, was not published until 1870.

In the case of the more important *πολιτεῖαι* and especially in that of Athens, the substance of these fragments has been not unfrequently set forth by modern scholars in various degrees of fulness. Thus Carl Müller (FHG ii 104) supplies an epitome of the Fragments on Athens; and Rose, a brief digest in the form of a table of contents². But the most successful endeavour to give life to these fragmentary remains is to be found in the Appendix to the important work of Oncken on the political teaching of Aristotle³. The fragments are there discussed in their historical bearing, and the scattered facts contained in them presented in a consecutive order and in an interesting form. The introduction to the analysis of the fragments closes with some valuable criticisms to the following effect:—

The method of dealing with the history of Athens which was pursued by Aristotle and his pupils must be regarded as marking the beginning of a new epoch. Without in any way undervaluing the influence of the contemporary school of Isocrates, as represented by Ephorus, Theopompus and Androtion, we may say without exaggeration that the picture, not only of the political life of Athens down to the overthrow of her freedom, but also of most of her statesmen, which became permanent in the literary tradition of later ages, was in its leading traits first delineated by the school of Aristotle and his followers.

The analysis concludes with the following remarks on the second part of the 'Αθηναίων πολιτεία:—

Even a hasty glance at all these details gives one an impression of the extraordinarily valuable store of authentic facts here gathered by the industry of Aristotle. He has presented us with a description of the very subjects which the Athenians themselves did not deem worth the trouble of describing, since the knowledge of these de-

¹ E. Miller, *Mélanges de littérature grecque*, Paris, 1868; p. 369.

² A. P., p. 402.

³ *Die Staatslehre des Aristoteles in Historisch-Politischen Umrissen*, vol. ii (1875), pp. 410—528.

tails of every-day life was for themselves the merest matter of course. In Aristotle the scientific instinct of the genuine investigator was blended with the natural curiosity of the foreigner; and this double interest served to add a fresh keenness to his perception of what posterity would deem to be best worth knowing. For later generations his *πολιτεία* became a veritable treasure-house of accumulated learning. Things that are only incidentally noticed by the orators and poets of the time, as being perfectly familiar to every one, are here narrated, described and elucidated by Aristotle for the benefit of all of those to whom this information was unknown. It was an important and an imperishable service. It was also one which was the natural result of his peculiar method as an investigator. To display the various members of the living body of definite fact, to separate all the complex framework into its component parts, to trace the sequence of a series of results as they came into being, to describe for after ages what was regarded by contemporaries as no less obvious than their daily meat and drink,—to do all this was thoroughly characteristic of Aristotle. It is more than enough to prove the truth of the opinion that Aristotle is above all others the scientific investigator of the Hellenic idea of political life.

Thus far we have dealt with laborious collections of the merest fragments of the *Πολιτεία*, and with one vivid commentary upon the most important of the series. Meanwhile, the original work was deemed to have vanished as completely as the lost decads of Livy. Neumann, in the *Prolegomena* to his edition of the fragments, laments the loss in the following terms: *eheu amissum est in sempiternum praeclarum opus, nisi e palimpsestis quibusdam fortasse eruatur*. In the *Bibliothèque Orientale* of Herbelot (p. 971), mention is made of an Arabic translation of the work, but the hope inspired by this statement remained unfulfilled¹. To cherish such a hope, even for a moment, was in 1865 denounced as folly².

§ 5. *The Berlin Fragments of the Ἀθηναίων πολιτεία.*

In the year 1880 the interest of scholars was aroused by the announcement that, among the fragments of *papyrus* found in the Fayoom near the ancient Arsinoe, and acquired for the Egyptian Museum at Berlin, there were two small pages with writing on both sides. They were skilfully deciphered by Blass, and a comparison with other *papyri* led

¹ The title of the alleged translation is *Ketab Siassat Almoden* (the book of the government of States). Herbelot's authority is Haji Khalfa, who died in 1658. In Fluegel's ed., vol. v p. 97, no. 10, 203, Haji Khalfa says that, in the book on 'the Government of States,' Aristotle mentions 171 great States. He distinguishes this book from the *Politics*, and says that the latter was translated into Arabic, which perhaps implies that the 'Government of States' was not. Part of this statement is doubtless derived from the list of Aristotle's writings

in Ibn Abi Useibia, which includes 'a book about the Government of States and the number of the nations, in which he mentions 151 great States' (ed. Müller, 1884, p. 68). As this list is confessedly taken from a Greek catalogue by Ptolemy (see *supra* p. xvii), we have no right to assume that the Arabs possessed the book. It is not at all the kind of book that was likely to interest them. For the substance of this note I am indebted to Prof. W. Robertson Smith.

² Heitz, *Verl. Schr.*, p. 230.

to their being provisionally assigned to the second century A.D. The first fragment contained on one side (I *a*) the long passage in Iambic verse quoted by Aristides from the poems of Solon; on the other (I *b*), a passage in prose on the archonship of Damasias. The second fragment had on one side (II *a*) an account of the reforms of Cleisthenes; and on the other (II *b*), a passage on the ostracism of Megacles and Xanthippus, with some mention of the mines at Maroneia. So imperfect were the indications given by the context that Blass identified Damasias as the archon of 639—8, instead of the archon of 582—1 and 581—0. The institution of the nine archons seemed to be mentioned *after* the extract from Solon. It thus appeared impossible to attribute the fragments to a historical work written in chronological order, such as that of Ephorus or one of the writers of *Ἀθροῖδες*. But Theopompus was known to have closed the tenth book of his *Philippica* with an excursus on the demagogues of Athens. This (as Blass thought) might well have begun with some account of Dracon and Solon, followed by a digression on the early history of the archonship and by notices of various statesmen such as Megacles, together with some observations on the institution of Ostracism and the reforms of Cleisthenes. It was accordingly conjectured that the newly discovered fragments belonged to Theopompus.

Here the matter rested for a very short time. The article by Blass was published in *Hermes* in October, 1880. The very next number of the *Rheinisches Museum* contained a brilliant contribution by the veteran scholar Bergk, who was then in his 69th year and had just completed the fourth edition of his *Poetae Lyrici Graeci*, and whose attention was perhaps mainly drawn to the fragments because they included fresh evidence on the poems of Solon. Bergk pointed out that the passage on Cleisthenes corresponded with a scholium on Aristophanes, *Nubes*, 37. The papyrus as deciphered by Blass had the following letters:

— — — ΑΘΗΝΑΙΟΙΣ
 — — ΧΘ . . . ΕΔΕΚ • ΔΗΜΟΙ
 — — ΕΠΟΜΕΝΤΑΝΤ • Σ • [ΝΑ
 — ΤΟ • Σ ΔΗΜΟΥΣΑΝΑ • • ΩΝ

With the help of the *Scholium* Bergk restored the second and following lines thus:

κατ]έσ[τησ]ε δὲ κ[αὶ] δημαρ-
 χους τὴν αὐτὴν ἔχοντας] ἐπίμελειαν τ[οῖς] πρ[ό]-
 τερον ναυκράροις καὶ τοῖς δῆμους ἀντ]ι τῶν
 ναυκαριῶν ἐποίησε]

This *Scholium*, although introduced by the words 'Ἀριστοτέλης δὲ περὶ Κλεισθένης φησί, had not found its way into either of Rose's previous editions of the fragments, its place having been taken by a less accurate transcript in the lexicon of Harpocration (Rose, 359⁹); but it is duly cited in the edition by Heitz (no. 19 = 388).

In addition to the proof supplied by this citation, the internal evidence of the style of these scanty fragments was enough to convince Bergk that the prose portions could not have come from any other work than the lost *πολιτεῖαι* of Aristotle¹. But Bergk could not believe that so long a passage of poetry as the fragment of Solon could have been cited in the 'Ἀθηναίων πολιτεία. He accordingly suggested two alternative solutions: either the poem was an interpolation inserted in a complete copy of the 'Ἀθηναίων πολιτεία by a copyist who desired to illustrate the reforms of Solon by transcribing the poem, or the work consisted of selections from various writers on the constitution of Athens.

The Berlin fragments were further discussed by Landwehr, who published a transcript and a restoration of the text in 1883; which he afterwards revised and corrected in the *Philologus* (Suppl. Bd. v 195). They were also the subject of an able paper by Diels in 1885². According to his view the fragments are simply two loose pages of papyrus filled with transcripts from the 'Ἀθηναίων πολιτεία by some schoolboy of Arsinoe. Damasias is rightly identified as Damasias II, and many other points are discussed in a masterly manner. It is also maintained for the first time that all the four pages belong to the same work, and that the 'Ἀθ. πολ. of Aristotle. The paper includes a convenient reprint of the various restorations of the fragments, and also a lithographed facsimile.

¹ p. 90, 'Wohl aber erinnert die Behandlungsweise an Aristoteles: selbst ein blödes Auge wird erkennen, dass der Verfasser vollkommen mit seinem Gegenstande vertraut ist, dass er zwischen Wesentlichem und Unwichtigem sehr wohl zu scheiden weiss, dass hier nicht ein buchgelehrter Grammatiker zu uns spricht, sondern ein erfahrener Mann, der mit scharfen Blicke das politische Leben zu betrachten gewohnt war, der sein histo-

rischer Sinn vor jeder Befangenheit des Urtheils bewahrte. Nicht minder erinnert die schlichte und schmucklose, nur auf die Sache gerichtete Darstellung an die Weise des Begründers der Staatswissenschaft. Auf mich wenigstens machten diese Bruchstücke sofort den Eindruck, als hätte ich Reste der Aristotelischen Politie der Athener vor mir.'

² *Philos. u. Hist. Abhandlungen*, Berlin Acad., 1886, ii pp. 1—57.

§ 6. *The British Museum papyrus.*

Thus far the student of Aristotle's *Πολιτεῖαι* had to found his conclusions as to the character of the work solely on meagre fragments laboriously collected from many sources, and on two barely legible and most imperfect scraps of *papyrus* in the Museum at Berlin, when suddenly, on the morning of Monday, Jan. 19, 1891, the readers of *The Times* were startled by the announcement that a MS containing the greater portion of Aristotle's *Constitution of Athens* had been acquired by the British Museum as part of a collection of papyrus rolls from a place in Egypt which, for adequate reasons, it was not expedient to specify more particularly. It was not until the rolls had been examined at the British Museum that it was found that three of them contained what was identified as the text of the *Ἀθηναίων πολιτεία*.

The secret of the discovery had been well kept: and by its first public announcement the interest of scholars at home and abroad was roused to a high pitch of expectation. Only eleven days later, on Friday, Jan. 30th, the printed text appeared under the editorship of Mr F. G. Kenyon, Fellow of Magdalen College, Oxford, Assistant in the Department of MSS, British Museum. It was soon discovered that, although the text was described in the preface to the *editio princeps* as 'in good condition' and requiring 'little emendation', there was a still deeper truth in the editor's fuller statement on a later page:—'There remain not a few passages which still require emendation by conjecture, in some of which the reading of the MS is completely lost, while in others a few faint traces of letters remain, which will serve as tests of the accuracy of any proposed emendation'. A vast number of conjectures of very various degrees of merit were accordingly proposed by English scholars in the pages of the *Athenaeum*, and the *Academy*, and the substance of these, together with the criticisms of continental scholars, were reprinted, with many other suggestions, in successive numbers of the *Classical Review* (March to July, 1891). Many further contributions to the criticism and elucidation of the treatise have since appeared. A conspectus of the literature of the subject is reserved for a later section (§ 10).

Early in March the Trustees of the British Museum published a Facsimile of the *papyrus*. The immediate, and indeed the permanent, result of this publication was a widely expressed recognition of the remarkable skill with which Mr Kenyon had accomplished the task of deciphering the MS. In those portions of the MS which are most easily read in the original, the facsimile is an adequate substitute for the

papyrus. It is mainly, though by no means exclusively, in the places where the papyrus is rubbed, and the remains of the letters only faintly visible, that it is absolutely necessary to resort to the original.

The MS consists of four separate rolls with the letters A, B, Γ, written at the beginning of the first three :

I	7 feet, 2½ inches, in length, by about 11 inches in height, including Columns	1—11
II	5 " 5½ " " " " " "	12—24
III	3 " " " " " " "	25—30
IV	about 3 feet (originally) in length, by about 10 inches in height, including remains of Columns	31—37

Total length about 18 feet, 8 inches¹.

The MS is written in four hands: (1) extends over Columns 1—12, and is described as 'a small semi-cursive hand, employing a large number of abbreviations of common syllables.'

(2) begins with Col. 13 and ends in the middle of Col. 20. This is described as an 'uncial of fair size,' plain but not ornamental, employing no contractions, and making a large number of blunders in matters of spelling.

(3) is a 'straggling' and often ill-formed semi-cursive hand, of larger size than the first. This extends from the middle of Col. 20 to the end of Col. 24; and also includes the mutilated remains of Cols. 31—37.

(4) closely resembles (1), and 'employs many of the same abbreviations,' but is generally finer and more upright, and possesses some distinctive forms of letters. This extends over Cols. 25—30².

Abbreviations are not used uniformly by all the four hands. They are chiefly confined to hands (1) and (4), while they are very sparingly used by (3), and not at all by (2). Hence it is obvious that, in restoring the text, it is solely in Cols. 1—12, and 25—30, that we can assume the existence of abbreviations. They can only be admitted within very narrow limits in Cols. 20—24, and 31—37; while they cannot be admitted at all in Cols. 13—20.

(1) and (4) have many abbreviations in common; but at the same time each of the two has some that are characteristic of itself alone. This will be made clear by the following classified list³.

¹ According to Pliny (*N. H.* xiii § 78) the two best kinds of papyrus were thirteen digits in height ($13 \times .72821 = 10.4653$ inches), rather less tall than rolls I—III, but rather taller than IV.

² Mr Kenyon's *Introduction*, p. xi. The proposal to identify hands (1) and (4), and hands (2) and (3), made by Kaibel and Wilamowitz on pp. v—vi of

their preface, is refuted by Mr Kenyon (ed. 3 p. xii) whose opinion is justly confirmed by Blass (*Praef.* iv—vii).

³ Mr Kenyon has already given a general list on the last page of his *Introd.* I have endeavoured to classify this list, and to represent approximately the shapes of the letters used in the *papyrus*.

hands (1) and (4)		hand (1) only
𐤀 = γάρ	Λ = παρά and παρα-	ο = -οι, -ου, -ον, οἰς, -οὐς
Δ' = δέ and -δε-	ℓ = περί	ℓ = περ
Δ = διά and δια-	Ϛ = σύν and συν-	Ϛθ = -σθαι
\\ = εἶναι	τϚ = -ται	*Ϛ = χρόνος, -ου, -ον, -ων, -οἰς
/ = ἐστί	† = τήν and -την	ω = -εως
κ' = καί and -και-	τ' = τῆς and -της	
μ' = μέν and -μεν-	τ' = τῶν and -των	
μ = μετά and (in 1) μετα-	ω = -ων	
ο = -ος		
ό = οὖν and -ουν-		
hand (3) only		hand (4) only
γ' = ὑπέρ	hands (3) and (4) only κ = -καί- and in (3) καί	δ' = ἀνα-
		≧ = εἰσί
		Ϛθ = -σθαι
		γ' = ὑπό and ὑπο-

Hands (1) and (4) have not only certain distinctive abbreviations, but they also use with different degrees of frequency the abbreviations that are common to both. Thus the symbol for εἶναι is found fourteen times in (1), and only five times in (4); that for ἐστί four times in (1), and twenty-eight times in (4); that for συν- seventy times in (1), and six times in (4); that for -ουν- three times in (1), and sixteen times in (4); that for -ται twenty-four times in (1), and fifty-seven times in (4); and that for -ος is far more frequent in (1) than in (4)¹. These considerations prevent us from identifying the two hands. There are also certain distinctive differences in the shapes of the letters used by each; and the same remark applies to hands (2) and (3)².

Final syllables are often omitted in (1) and (4). Thus φν^λ is found in both hands for φυλῆς and φυλήν, and βου^λ is used for all the cases of βουλῇ in the singular. Hand (3) has χωρ for χώραν (col. 22, 2); τρὸ for τρόπον (*ib.* 11) and απογρα for ἀπογραφάς (*ib.* 35). An abbreviation for αυ is exceptionally used for αὐτήν (in col. 9, 8); and a symbol for δραχμή, found in cols. 21, 35 and 26, 54, is common to hands (2) and (4). Numerals are denoted by the ordinary symbols in all hands alike³.

¹ For the details of these statistics, see van Leeuwen's *Observationes Palaeographicae* in the Dutch edition, pp. 170—7.

² See the alphabets reproduced in *Class. Rev.* v 183.

³ The use of the above abbreviations, and their distribution over the several hands, may be illustrated by the following examples. For convenience, ordinary type is here used, and the words are separated from one another.

Abbreviations in (1), also found in (4): —σέβη (col. 1, 3); πῶρωρησαντ (1, 20); τα μ' ο' π' τασ αρχας (1, 35); τ' τ' χρεων αποκοπησ (2, 31); ατιμον \ κ' τ' πολεω (3, 32);

δκα ετ ου γ' οισθαι δικον \ (4, 6); μεμνητ' π' αυτ' (4, 15); π' τ' δνεμεσθ τ' γην (4, 21); μ' τ' τ' νομων θεσιν (5, 23); ου γ' ενδεχετ' (7, 2); μπεμπομοσ (7, 14); αρμοδι^ο (7, 25); σ' παντα σ' οισ (8, 21); δ' κα μ' τ' π' το αστυ (9, 4); κ' τ' σμαχω (10, 12); \ κ' δικ'σ (11, 1); \ τωι π' κλει (11, 27); επει δ' μ' τ' εν σικελ γεγομην δ' φοραν (11, 46); σ' γραψειν δανηγωντ', i.e. συγγράψειν α' αν ηγωνται (12, 3).

In (4), also found in (1): —κβαλλετ' (25, 25); δραχμω (27, 1); αρχον^ο (27, 23); π' αιρεται (29, 18); δ' τιθησι (29, 23); μ' τ' βουλ' (29, 50); π' τιθενται (30, 41).

In (1) alone: —ο=ου in 15 places, e.g.

Iota adscriptum is hardly ever omitted in (1); hardly ever inserted in (2); (3) and (4) do not follow any fixed rule¹.

ει and ι are frequently interchanged, especially in (2); some of these mistakes are however corrected by hand (1). But even in (1) we sometimes have ι for ει, e.g. *πισιστρατος* in three places (Col. 5, 28, 33, 37), besides four other instances. In (2) there are as many as 41, e.g. *αφιλον* for *αφείλον* (Col. 16, 4); in (3) and (4) there are only four and five respectively. Conversely we have ει for ι in all the four hands, the number of instances being 14, 11, 15 and 2 respectively. Both of these mistakes are combined in *πολειτιαν* (Col. 13, 3) and *πολειτίας* (14, 1; 16, 26)².

There is nothing resembling a mark of punctuation, except the short horizontal line in the margin (Cols. 1, 40; 2, 4; 7, 15, 30; 11, 5, 31; 13, 15). In some cases this may be a true *παραγραφή*, as in Col. 1, 40 and 8, 21 f, where it coincides with the natural end of a chapter; in others (as suggested by Blass³) it may denote a corruption; at any rate this appears more probable than van Leeuwen's⁴ opinion that it draws attention to an important or striking statement.

There are no breathings or accents, except in *εκμαρτυρῶν* (Col. 3, 9), *νομοφυλακῆιν* (3, 26), *δήμον?* (4, 29), *ἀ* (12, 3) *ῥῥῶνται* (13, 11) and *αὐτον* (29, 46). In some of these cases they are apparently added to prevent ambiguity of meaning⁵.

Blunders made by hand (2) are occasionally corrected, apparently by hand (1), or possibly (4). It has been suggested that the transcript was begun by some one who desired a copy for his own use, and, after writing out the first twelve columns, entrusted to others the task of copying the remainder, being content to revise their work and to correct their misspellings and their other mistakes⁶. The editors of the first German edition, Kaibel and von Wilamowitz⁷, hold that all the corrections are due to hand (1) which they identify with (4). To account for the fact that many blunders are left uncorrected, they assume that the

αρειο *παγο*, (2, 9); = *ον* in 44 places, e.g. *θητικο*, (3, 3); = *οι* in 8 places, e.g. *δισχιλιο* (10, 17); = *οις* once, *αλλο* (2, 33); = *ους* in 16 places, e.g. *κλεισθενο*, (12, 8); *κ' π* (8, 9).

In (4) alone: —// = *εισι* (in 20 places, e.g. twice in 27, 11 and 28, 41); *υ* = *υπό* (26, 19, 30; 27, 20; 28, 24); *σθ'* = *-σθαι* in 16 places, e.g. *δυνασθ'* (26, 9); *υ* = *υπό* in 26, 19 and 30; 27, 20; 28, 24; also = *υπο-* in *υζυγιων* (26, 52); *α* = *ανα-* in 13 places, e.g. *αβηραι* 30, 3.

In (3) alone: *υ* = *υπερ* twice 21, 24 and 23, 22 (cf. 22, 44). (3) *κ* = *και* (22, 13 *bis*;

23, 22;) = *-και-* in *αναγκλον* (23, 14). *χωρ'* = *χωραν* (22, 2); *τροδ* = *τροπον* (22, 11); *απογρα* = *απογραφας* 22, 35. Final *ν* above last letter of word, seven times, cf.

p. 151, *n. c.* *κ* also = *-και-* in (4), 27, 17.

¹ Van Leeuwen, *l. c.* p. 165.

² Van Leeuwen, *l. c.* p. 166.

³ *Praef.* p. xi.

⁴ *l. c.* p. 166.

⁵ Mr Kenyon's *Introd.* last page; and van Leeuwen, *l. c.* p. 167.

⁶ Mr Kenyon's *Introduction*, p. xi.

⁷ *Praef.* p. vii.

text depends on two earlier MSS, one of them much more accurate than the other¹. Blass however, holds, with apparently greater probability, that there are several correctors: all the four hands correct some of their own mistakes; and one or more of them correct the work of the rest, not to mention the possibility of a revision independent of all the four. The same critic divides the 'corrections' into five groups, the most important of which he prefers to regard as *variae lectiones* which were recorded as such in the MS from which our *papyrus* was copied².

The process by which the *papyrus* plant was made into material for writing was as follows: the tall stem had its rind stripped off and the pith cut with a sharp instrument into broad slices of extreme thinness and considerable length. These were laid in long strips on a flat board; across these were placed in the opposite direction and touching one another, a number of short strips corresponding in length to the proposed height of the roll. The upper and lower surfaces were made to adhere to one another by means of the slightly glutinous sap of the pith or (failing that) by means of paste. The long scroll thus formed was thereupon smoothed down with an ivory instrument or a shell³. The proper side for writing is that on which the horizontal strips allow of the pen running freely without traversing the frequent joinings of the successive parallel strips of papyrus. Thus, the British Museum papyrus of the first three speeches of Hyperides is written entirely on what may be called the 'horizontal' side, *i.e.* that on which the strips of *papyrus* run in a horizontal direction. If any writing is added on the back, it may be described as written on the 'vertical' side, that on which the strips run vertically and overlap one another at their edges. After the front of a scroll has been filled, the back is not unfrequently used for some other writing on a totally different subject. For example, the British Museum papyrus of the Funeral Oration of Hyperides has a Greek horoscope on one side, and that the 'horizontal,' or right side; while the speech of Hyperides is written on the 'vertical,' or wrong side. Similarly the Ἀθηναίων πολιτεία is written on the vertical, or wrong side, technically called *verso* (or 'reverse') as opposed to *recto*. It may be inferred that the text of any author so inscribed on the back of the scroll is not only later in date than that on the other side; but also that it has been copied solely for the private use of the owner, and not for publication or for preservation in a public library⁴.

On the horizontal side of the papyrus of the Ἀθηναίων πολιτεία are

¹ *Praef.* p. ix.

² Blass, *Praef.* pp. viii—xi.

³ Martial xv 209, 'Levis ab aequorea cortex Mareotica concha Fiat: inoffensa

currit harundo via.' Cf. Blümner's *Technologie*, i 308—325.

⁴ U. Wilcken, *Hermes* 1887, p. 487—492, *Recto oder Verso*.

the accounts of receipt and expenditure drawn up by a bailiff on a private estate in the eleventh year of Vespasian (from Aug. 78 to June 79 A.D.)¹. After (but probably not very long after) the time when the accounts had ceased to be valuable, the other side was used to the extent of a column and a half for the transcription of an argument to the *Midias* of Demosthenes²; the latter was then struck out, the roll turned upside down and the Ἀθηναίων πολιτεία written on it, beginning at the other end of the roll. The ms has been assigned to 'the end of the first century of our era or, at latest, the beginning of the second,' and this opinion is confirmed by several dated documents of the first and second centuries which have come to light since the first publication of the *papyrus*³.

§ 7. *Date and Authorship of the Ἀθηναίων πολιτεία.*

The date of the original composition of the treatise is determined by internal evidence. The system of electing *Strategi* for special departments of military duty, which is recognised in c. 61 § 1, was introduced after B.C. 334. Hence the work was written later than that date. The latest date expressly quoted in it is the archonship of Cephisophon, B.C. 329—8 (c. 54 § 7). Again, since in c. 46 § 1 mention is made of triremes and quadriremes, and not of quinqueremes, it has been inferred that it was written before B.C. 325—4, the earliest date at which quinqueremes are named in connexion with the navy of Athens⁴. Further, it is clear that the treatise could not have been composed after 322 B.C.; because, in that case, we should certainly have had some account of the change in the constitution of Athens which was brought about by Antipater in that year⁵. Lastly, the treatise describes the Athenians as still sending officials to Samos (c. 62, 16); in the autumn of B.C. 322 that island ceased to be under the control of Athens. B.C. 322 is also the year of the death of Aristotle: hence, the evidence derived from the treatise itself shews that it was written while Aristotle was still alive; and the reasons above assigned enable us to place its date between B.C. 328 and 325.

We have already traced in chronological order the evidence of all

¹ ἔτους ἐνδεκάτου αὐτοκράτορος Καίσαρος Οὐεσπασιάνου Σεβαστοῦ ἀργυρικὸς λόγος Ἐπιμάχου Πολυδεύκου ἡμιμάτων καὶ ἀναλωμάτων τῶν δι' ἐμοῦ Διδύμου Ἀσπασίου χειριζομένων (in the original there are no accents).

² Printed in the Dutch ed. of the Ἀθ. πολ., pp. 180—185; and in Mr Kenyon's 3rd ed., pp. 215—219.

³ Mr Kenyon's *Introd.* to ed. 3, p. xvi.

⁴ Mr Cecil Torr in *Athenaeum*, Feb. 7, 1891; Bruno Keil, *Berl. Phil. Woch.* 1891, p. 614; J. H. Lipsius, *Verhandlungen der Sächs. Gesellschaft der Wissenschaften*, 28 Feb. 1891, p. 45. See note on 46 § 1.

⁵ Bruno Keil, *u. s. p.* 613.

the ancient authorities who quote the *Πολιτεῖαι*. We have seen that the work as a whole is assigned to Aristotle by the unanimous voice of antiquity; and it has just been shewn that the *Ἀθηναίων πολιτεία* was certainly completed while Aristotle was still alive. In such a case we must necessarily accept the work as Aristotle's, unless internal evidence is conclusive on the other side. The consideration of that evidence turns partly on questions of style, partly on the relations subsisting between the *Ἀθηναίων πολιτεία* and the *Politics*. Let us consider the latter point first.

The latest event mentioned in the *Politics* is the death of Philip in B.C. 336. Had the *Politics* been finished even as early as seven years after that date, it would have been completed before the *Ἀθηναίων πολιτεία*. But, according to the opinion now prevalent among Aristotelian scholars, it was left incomplete by its author and was not given to the world in his lifetime. Books vii (iv) and viii (v) are more carefully composed than the rest, being specially marked by the avoidance of *hiatus*. It is possible that these two books represent the author's finished style; it is also possible that they owe their polish to the skill of a pupil of the Peripatetic school¹. But in either case they are not of the nature of a popular work, and there is nothing to prove that they were in general circulation during the author's lifetime.

Probably the greater part of the *Politics* had already been written by the year 336. It has sometimes been supposed that the vast collection of facts relating to the *πολιτεῖαι* of various Greek states was formed to serve as materials for the theoretical treatment of the subject in the *Politics*. The *Politics*, however, were never completed, whereas the *Ἀθηναίων πολιτεία* assumed a finished form more than three years before the death of Aristotle. But it is quite possible that the *materials* for the *Ἀθηναίων πολιτεία*, and for the rest of the series, were collected before the larger part of the *Politics* was reduced to writing. The same materials would serve for both; but, in the case of the *Πολιτεῖαι*, they were embodied in a finished work for popular perusal; in the case of the *Politics*, they formed part of the preliminary studies for courses of lectures probably confined to the philosopher's immediate circle. Now, as the *Politics* may have continued to supply the theme for such lectures in and after 334, while the *Ἀθηναίων πολιτεία* was not ready for public perusal until 6 or 8 years later, we need not be surprised to find in the *Politics* no reference whatsoever to the *Πολιτεῖαι*. At a time when only fragments of the latter were known to scholars, this fact used to be quoted in proof of the spuriousness of the work. But now that

¹ Shute's *History of the Aristotelian Writings*, pp. 164—170.

nearly the whole of one of the Πολιτεῖαι has been recovered, and its date determined to be later than the latest event noticed in the *Politics*, no argument against its genuineness can be founded on the fact that the author of the unfinished work says nothing of a popular treatise that had not yet been published while the theoretical work was still in course of preparation.

The question arises whether the Πολιτεῖαι are ever mentioned in the undisputed works of Aristotle. At the close of the *Ethics*, when about to state the theme of the ensuing discussion in the *Politics*, Aristotle speaks of τῶν πολιτειῶν αἱ συναγωγαὶ and also of τῶν συνηγμένων πολιτειῶν (x 9 §§ 21, 23). The sense of the context of the latter phrase may be expressed as follows: 'First then let us endeavour to review whatever is to some extent valuable in the statements of our predecessors, and then to learn from the constitutions which have been collected (or put into juxtaposition with one another), the causes which are apt to preserve or to destroy states, and the causes which have this effect on the several constitutions.' This promise is sufficiently fulfilled by the review of the various constitutions in Book II, their classification in Books III-VI¹, and the discussion of the ways in which revolutions may be caused or prevented in Book VIII (v).

Rose, however, in his *Aristoteles Pseudepigraphus*, while regarding the πολιτειῶν συναγωγὰς as existing collections of facts forming materials for the *Politics*, insists at the same time that Aristotle had not himself written any such work or expressed any intention of writing it². The *Politics* of Aristotle, he adds, were supplemented in due time by the works on νομοθεσία written by his pupil Theophrastus; but neither Aristotle nor Theophrastus, he contends, ever wrote any work on πολιτεῖαι. The Πολιτεῖαι, attributed to Aristotle, are ascribed by Rose to some anonymous Peripatetic who was less of a philosopher than a historian and philologist. Such was Demetrius Phalereus who wrote works περὶ τῆς Ἀθηνῆσι νομοθεσίας and περὶ τῶν Ἀθηνῆσι πολιτειῶν. Such, again,

¹ Cf. Newman, *Ar. Pol.* vol. i pp. 2, 214—220.

² Rose, *A. P.* p. 396.

Camerarius and Victorius understood πολιτεῖαι συνηγμέναι as a reference to Aristotle's historical work, a view supported by Grant and Stahr, *Ar. Pol.* (1860) p. 66. Heitz, *Verl. Schr.* p. 232, quotes the paraphrase of Andronicus: εἴτα συναγαγόντες τὰς πολιτείας θεωρῶμεν ἐν αὐταῖς ἃ τε φέρεται καὶ ἃ σώζει τὰς πόλεις. From the use of συναγωγὰς in *Pol.* vii (vi) *init.*, p. 1316 b 40, ἐτι δὲ τὰς συναγωγὰς αὐτῶν τῶν εἰρημένων ἐπισκεπτέον πάντων τῶν τρόπων, and συνακτέον εἰς ὅλγα in

1319 b 23, he infers that they are *die unter eine gewisse Anzahl von Rubriken vertheilten, verschiedenen Verfassungsformen*. But the meaning of συναγωγὰς in the former of these two passages is determined by Aristotle himself by the use of the word συνδυαζόμενα in the very next line, and συνδυασμοὶ in the subsequent context. It refers to constitutions which exceptionally *combine* oligarchic and democratic elements; and this sense has nothing to do with the interpretation of the passage in the *Ethics* proposed by Heitz. Susemihl (followed by Mr J. A. Stewart) brackets *Eth.* x 9 §§ 22, 23.

was Dicaearchus, whose πολιτεῖαι were known to Cicero. The author of the Πολιτεῖαι was (according to Rose) inspired, like Dicaearchus, by the example of Aristotle who, in his *Politics*, touches on the constitutions of a large number of states. Now that we know that the Ἀθηναίων πολιτεία was completed several years before the death of Aristotle, while the *Politics* was still unfinished, the suggestion that the unknown author of the Πολιτεῖαι was inspired by the *Politics* falls to the ground, unless indeed we are to assume that the author was one of the pupils of Aristotle who attended his course on the *Politics* at some date after his return to Athens (334). If so, it is singular that the name of this remarkably prolific writer should not have been preserved. On the contrary, the name has completely vanished, and in its place we find everywhere the name of Aristotle and of none beside.

The only two that have been seriously suggested as authors of the Ἀθηναίων πολιτεία are Demetrius Phalereus and Dicaearchus. The former is suggested by Rose in his *Aristoteles Pseudepigraphus*, p. 398. Two of the fragments seemed to imply a more aristocratic type of constitution than any that prevailed at Athens before about 317 B.C.; and, on the other hand, the work must have been composed before the number of the Attic tribes was increased from ten to twelve (B.C. 307). The fragments in question are those on θεσμοθετῶν ἀνάκρισις (414³) and στρατεία ἐν τοῖς ἐπωνύμοις (469³). The inference drawn by Rose is not supported by the context in which we find those fragments in the present work (c. 55 § 1 and c. 53 § 7); and we now know that the treatise was written not between 317 and 307, but between 328 and 325. Rose's suggestion has been recently revived by Schvarcz¹. If any detailed refutation of this view is necessary, it may be noticed that, of all the passages attributed to the work of Demetrius περὶ τῆς Ἀθήνησι νομοθεσίας (either by Harpocration, s.v. σκαφηφόροι, Ζεὺς ἔρκειος and παράστασις, or by Plutarch, *Sol.* 23, or by the Scholiast on Arist. *Nubes* 37, or by other authorities mentioned in Müller's FHG), not one is to be found in the πολιτεία. Indeed, in the very first fragment of the work of Demetrius, the account of κυρία ἐκκλησία is described by Harpocration as less satisfactory than that of 'Aristotle' which is found in c. 43 § 4. Similarly Harpocration, s.v. παράστασις, prefixes to a quotation from Demetrius περὶ νομοθεσίας, a quotation from 'Aristotle' ἐν τῇ Ἀθηναίων πολιτεία which is found in c. 59 § 3; and the Scholiast on Arist. *Nubes* 37 quotes from both treatises, his quotation from 'Aristotle' being found in c. 21 § 5. (From the other work, περὶ τῶν Ἀθήνησι πολιτειῶν or πολιτῶν, named in Diog. Laert. v 80, not a single fragment has

¹ *Ar. und die Ἀθ. πολ.*, pp. c, d.

survived.) To meet these difficulties Schvarcz suggests that, at the time of writing the *περὶ τῶν Ἀθήνησι πολιτειῶν*, which he practically identifies with the *Ἀθηναίων πολιτεία*, Demetrius was unacquainted with the facts which he afterwards ascertained by further study in the archives of Athens and embodied in his later work *περὶ τῆς Ἀθήνησι νομοθεσίας*. And yet, strange to say, the account of *κυρία ἐκκλησία* in this 'later work' is in the judgment of Harpocration inferior to that in the treatise which Schvarcz identifies with the 'earlier work' of Demetrius.

It is equally impossible to assign it to Aristotle's pupil, Dicaearchus, for not a single fragment attributed to him by ancient authorities is to be found in the *Ἀθηναίων πολιτεία*. Nothing is quoted from his *πολιτεῖαι* of Pellene and Corinth, or Sparta and Athens; and the few remains of his antiquarian works *περὶ μουσικῶν ἀγώνων*, *περὶ Διονυσιακῶν ἀγώνων* and *Παναθηναϊκός*, have nothing in common with the treatment of those topics in the treatise ascribed to Aristotle.

While in the *Politics* there is no allusion to the *Πολιτεῖαι*, there are many passages in the *Ἀθ. πολ.* which, either in thought or expression, are so closely parallel to the *Politics*, as to suggest a common authorship. Such coincidences might of course be due to the retentive memory of a pupil attending the master's lectures on his unfinished and unpublished work; but it seems more natural to ascribe them to a common author. Let us first consider the more general coincidences of thought.

(1) The *Ἀθηναίων πολιτεία* is the work of one who displays a certain predilection for an aristocratic form of government.

In the *Politics* there is no question as to the author's general sympathies being on the side of an aristocratic government. *Aristocracy* is to Aristotle an *ἀρίστη πολιτεία*. It is marked by election for merit; it is distinguished from the perfect state as being a government of men who are only good relatively to the constitution; it is so called because the best rule, or because the best interests of the state are consulted; it is analogous to royalty as a government of the best: it is even preferable to royalty, because under it the good are more than one. *Oligarchy*, the perverted form of Aristocracy, is inferior to constitutional government (*πολιτεία*), and to its perverted form, Democracy.

Democracy is described in the *Politics* as the government of the many in their own interests; it is the perversion of constitutional government; it is akin to tyranny; in its extreme form it is peculiarly apt to pass into tyranny; it is, however, the only possible form of government in large states; and it is more stable than oligarchy. 'Liberty and equality', as well as the 'use of the lot', are dispassionately

described as characteristic of democracy; and suggestions are propounded for the improvement of this form of government¹.

The author of the *Ἀθηναίων πολιτεία* dwells on the importance of the services rendered by the Areopagus in the times of Dracon (c. 4) and Solon (c. 9), and in the sixteen years immediately succeeding the formation of the confederacy of Delos (c. 23). Cleon is regarded as a demagogue who corrupted the people (c. 28). Nicias, Thucydides (son of Melesias), and Theramenes, are counted among the best statesmen of Athens (c. 28). The writer shows the greatest interest in the constitutional measures proposed by the Four Hundred (c. 29—32); at the same time he does not disguise the atrocities committed by the Thirty (c. 35 end). The restoration of the democracy is described in dispassionate and unenthusiastic terms (c. 38). The defeat of a proposal to reward all who had aided in its restoration is mentioned in language implying that the author did not disapprove of the result.

On the other hand, the transfer of judicial functions from the *βουλὴ* to the *ἐκκλησία* is commended on the ground that 'small bodies are more open to corruption than large ones' (c. 41, l. 28); but this approval is expressed in the mildest terms and does not imply sympathy with democracy as such. It has been quoted² as inconsistent with the *Politics*; but the reason given for the writer's approval of the transfer is in perfect accord with a passage in the *Politics* (1286 a 30, quoted in note on c. 41 l. 28). There are two periods in which Athens enjoyed a good government:—(1) the 16 years during which the Areopagus was supreme; and (2) the time immediately after the Four Hundred. The only phrase that does not remind one of the writer of the *Politics* is the reference to the 'forgiving spirit' of democracy in c. 22 § 4:—*χρώμενοι τῇ εἰσθύνῃ τοῦ δήμου πρῶτόν τι*. I am not aware of anything like it in the *Politics*, but I may observe that it recalls a notable passage in the *Republic*, and may possibly be a reminiscence of it³.

The attitude of the author of the *πολιτεία* towards Peisistratus and Theramenes is in harmony with what we should expect from the author of the *Politics*. Both agree that Peisistratus rose to power by attacking the men of the Plain⁴; unless a certain passage in the *Politics* is interpolated, both observe that he was summoned before the Areopagus,

¹ For the reff. as to all these points, see Index to Jowett's *Politics* s. v. Aristocracy and Democracy.

² Cauer, *Hat Ar. die Schrift vom Staate der Athener geschrieben?* p. 49.

³ p. 558 B (of the 'forgiving spirit' of democracy), *ἡ συγγνώμη καὶ οὐδ' ὅπως τιῶν συμκρολογία αὐτῆς*. The term

πρῶτης happens to be used just before, but it is there applied to the 'calmness' with which condemned criminals go about the world like heroes under a democratical government:—*ἡ πρῶτης ἐνίων τῶν δικασθέντων οὐ κομψή*;

⁴ *Pol.* 1305 a 23.

and that he was twice exiled from Athens¹. When recommending 'the constitution that gives predominance to the moderately wealthy class' (1296 a 38), Aristotle adds that 'only one of those who had played a leading part in the affairs of Greece had encouraged the introduction of this form'. As to the person meant there is much diversity of opinion; but whether (with Mr Newman) we identify him with Theramenes, or (as Dr Jowett prefers) with Solon, we have in either case a complete agreement with the 'Αθηναίων πολιτεία, though this does not exhaust the question. Again, the description of Ostracism and its object is 'to a considerable extent in harmony with that given in the *Politics*'². The account of the policy of Aristides is less favourable than we should expect (see c. 24), 'inasmuch as he is said to have converted a citizen-body largely consisting of peasants into an urban citizen-body subsisting on pay and exercising a despotic authority over the subject states, and thus to have contributed to the establishment of an extreme democracy'. We are taught, however, in the *Politics* (1292 b 41—1293 a 6) to 'connect the establishment of a *τελευταία δημοκρατία* with a great increase in the size of the city and with the provision of pay'; and we also know that the opinion of Aristotle's pupil, Theophrastus, on the policy of Aristides, 'was not an altogether favourable one' (Plut. *Aristid.* c. 25)³.

While the two works are in general agreement on the points above mentioned, there are certain apparent discrepancies that must now be noticed. (1) The 'Draconian Constitution' of the *πολιτεία* is in conflict with the passage in the *Politics* (1274 b 15) which states that Dracon 'adapted his laws to a constitution that already existed'; but the 'Draconian Constitution' has been vigorously attacked on its own merits, while the passage in the *Politics* is of doubtful genuineness. Again, the *πολιτεία* states that Peisistratus reigned for 19 years; the *Politics* (1315 b 31) makes his reign last for 17, but the whole of the context of the latter passage is bracketed by Susemihl in his 2nd and 3rd editions. In a disputed passage of the *πολιτεία*, Themistocles co-operates with Ephialtes for the curtailment of the power of the Areopagus: in a possibly interpolated chapter of the *Politics* (ii 12), the place of Themistocles is taken by Pericles, but not without protest on the part of critics, even before the discovery of the *πολιτεία*. In the *πολιτεία* (c. 21 § 6) we are told that Cleisthenes 'allowed every one to retain his *γένος* and *φρατρία* and his (hereditary) priesthood according to his ancestral rights'; in a perfectly genuine passage of the *Politics* (1319 b 23) it is implied that Cleisthenes 'increased the number of the phratries' and 'converted a number of private worships into a few

¹ *Pol.* 1315 b 21, 31.

² Mr Newman in *Class. Rev.* v 162 b.

³ *Ibid.*

public ones'. But these passages may be readily reconciled with one another if we consider that the passage in the *πολιτεία* refers to those who were already citizens; that in the *Politics* to the *νεοπολῖται*.

It has been pointed out by Mr Macan that 'the ideas underlying the second part of the work are conspicuously Aristotelian. The distinction between *ἄρχειν* and *ἄρχεσθαι* and its relation to the franchise; the definition and essence of citizenship (1275 *a* 22, and *b* 22)...; the theory of citizenship in the *Politics*, especially in Bk III *ad init.* might seem to be presupposed in the treatment of the *ἀρχαὶ* in the work under consideration'¹.

The comparison we have endeavoured to draw between the *Ἀθηναίων πολιτεία* and the *Politics* cannot perhaps be better concluded than by a striking example of identity of thought and language in the two works. In *Ἀθ. πολ.* c. 16 we read of Peisistratus: τοῖς ἀπόροις προεδάνειζε χρήματα πρὸς τὰς ἐργασίας, ὥστε διατρέφεσθαι γεωργοῦντας. τοῦτο δ' ἐποίει δοῦν χάριν, ἵνα μήτε ἐν τῷ ἅστει διατρίβωσιν ἀλλὰ διεσπαρμένοι κατὰ τὴν χώραν, καὶ ὅπως εὐποροῦντες τῶν μετρίων καὶ πρὸς τοῖς ἰδίοις ὄντες μήτ' ἐπιθυμῶσι μήτε σχολάζωσιν ἐπιμελεῖσθαι τῶν κοινῶν. In the *Politics* we are told that (even under a democracy) it is advisable to provide the poor (τοὺς ἀπόρους) with capital, and encourage them to work (τρέπειν ἐπ' ἐργασίας 1320 *b* 8); and that it is characteristic of an oligarchy and a tyranny to drive the people out of the city and disperse them (1311 *a* 14). We learn elsewhere that the best material for a democracy is an agricultural population; for being poor they have no leisure (ἄσχυλος), and therefore seldom attend the assembly; and, not having the necessities of life, they are always at their work (πρὸς τοῖς ἔργοις διατρίβουσι καὶ τῶν ἀλλοτρίων οὐκ ἐπιθυμοῦσι, 1318 *b* 14); lastly, that while mechanics or traders or labourers are apt to frequent the city and find it easy to attend the assembly, the agricultural class (οἱ γεωργοῦντες) do not attend meetings, or equally feel the need of assembling together, because they are scattered over the country (διὰ τὸ διεσπάρθαι κατὰ τὴν χώραν, 1319 *a* 30). It would be difficult to imagine a more complete series of parallelisms in expression as well as thought.

Next, as to the *language and style* of the treatise. The vocabulary includes nine words that are not found elsewhere: these fall into two groups, (1) technical expressions, viz. ἐπιζημίωσις (45, 9, quoted from a law), ἐπτετηρίς (54, 29), ἐπτάχους (col. 34, 32), προδρομεύω (49, 6), and προεδρικός (59, 6); (2) words compounded with two prepositions, viz. ἐπεισκαλῶ and ἐπέισκλητος (30, 22—23); προσαναζητῶ (29, 16); προδιασπείρω (14, 23). The technical terms need no defence; ἐπτετηρίς is exactly analogous to

¹ *J. H. S.* 1891, p. 21.

τριετηρίς and πεντετηρίς, and ἐπτάχους to δέχους and ἐξάχους which occur elsewhere. Of the compound words the first three occur in quotations from public documents, and the last is supported by the analogy of προδιαβάλλειν, προδιασύρειν and προδιαχωρεῖν in the undisputed works. Double compounds are in fact characteristic of Aristotle; in the *Index Aristotelicus*, out of nine words compounded with ἐπεισ- one is found in Aristotle alone, and two others are first found in his pages; while, among the compounds with προσανα- and προσαπο-, two are found in Aristotle alone, and five are used by no earlier writer¹.

Among words that are not found in the *Index Aristotelicus* may be mentioned: κυαμένειν, ἀνακράζειν, βῆμα, ἀντιστασιώτης, ὁμοφρονήσαντες (14, 8), ἀγηλατεῖν (20, 8). Of these ἀγηλατεῖν is obviously quoted from Herodotus; and ὁμοφρονήσαντες, which occurs four times in Herodotus (though not in the same historical connexion), comes immediately after a word borrowed from that historian. The rest are part of the necessary vocabulary of the subject, and their non-appearance in the undisputed works is merely accidental. Exception has been taken to συμβουλευεῖν (c. 30, 14) as non-Aristotelian, and τούτων χάριν (29, 25) and ἐντὸς τριῶν μυνῶν (49, 26) have been described as apparently un-Aristotelian²; but the last of these is cited from a law, and the other two are also in quotations; so that here at any rate we have no right to demand adherence to Aristotelian usage.

Among the compound verbs that are not found in any contemporary writer are καταφατίζειν, ἐπιδιανέμειν, ἐξαπορεῖν, συναρέσκεσθαι and παραστρατηγηθῆναι; and, among technical terms, ζευγίσιον, ὄστρακοφορία, ἀφέσιμος (ἡμέρα), εὐσημία, βάλανος, ἐμπήκτης, ἐπιστύλιον, ἐκθύματα (?), and ἐναγίσματα. The word προδανείζειν, which has been quoted as only used by later writers, is actually found in contemporary decrees³; and τριακοντόριον, which has been described as an 'entirely new word', is to be seen in contemporary inscriptions⁴. μεμψιμοιρία is not found in Aristotle, but he uses μεμψιμοιρος.

Lists of 'un-Aristotelian words and phrases' have been collected by various scholars in the *Classical Review*⁵; and many of the items in such a list will call for notice in the course of the commentary. Attention has also been drawn to the absence of certain turns of expression characteristic of the undisputed writings of Aristotle: thus in the πολιτεία

¹ Gomperz, *Anzeiger der phil.-hist. Classe*, Wien, 1891, no. xi.

² *Class. Rev.* v 273.

³ The decree of Stratocles preserved in [Plut.] 852 B; and another inscr. relating to Lycurgus in CIA ii 162 c 7 and 9 (cf. *Class. Rev.* vi 255 a).

⁴ Besides the inscr. of B.C. 325/4 quoted on 56, 20, we have one of 330/29 in which the word occurs twice:—cf. Boeckh's *Seeurkunden*, p. 393.

⁵ v 123 (J. B. Mayor), 184 and 272 (H. Richards); 'rare words', *ib.*, 229 (E. J. Chinnock). See also *Greek Index*.

‘there is a good deal about democracy, but we miss the technical terms ἐσχάτη, ὑστάτη, τελευταία, ἄκρατος, δημοκρατία. Nothing is ἀτοπον, and no person or thing is either σπουδαῖος or φαῦλος’¹. But, however acute such criticism may be, and undoubtedly is, much of its point is removed, and its edge appreciably blunted, by a frank recognition of the necessary distinction that separates the style of a popular manual like the πολιτεία from that of a philosophical investigation like the *Politics*.

To a similar cause we may ascribe the differences which may be noticed in the degree to which certain particles and conjunctions are used in the πολιτεία as compared with the undisputed works already known to us. Of the *particles*, γε is not used at all, and consequently γοῦν does not occur, τοι occurs only once in μέντοι (28, 35) where its existence is solely due to a probable, but not perfectly certain, emendation. περ is found only in καθάπερ, καίπερ, ὅσπερ, ὅσοσπερ and ὥσπερ. μὴν is only used in οὐ μὴν followed by ἀλλά. δὴ is rather rare, but is sometimes found after a demonstrative pronoun, once after a superlative (κάλλιστα δὴ 40, 17); and in several instances where τε is followed by καὶ δὲ καί; ἐπειδὴ is rare, while ἐπειδὴν is common. Of the *conjunctions*, οὖν is never used except in μὲν οὖν (hence it cannot be accepted in c. 43, 15, where καθ’ ἣν οὖν καθίζει has been conjecturally proposed). ἄρα, τοίνυν, τοίγαρ, and τε γάρ, are not found. ἀλλά occurs some thirty times, but always after a negative. καὶ always follows διό, and nearly always follows ὅθεν, when used in the sense of διό; ἵνα is found about ten times; ὅπως seventeen times; and ὅπως ἂν twice².

In the undisputed works, γε and οὖν and τε γάρ are common; ἄρα is rare in the *Politics*; τοίνυν, μέντοι and καίτοι frequent in the *Metaphysics*, *Physics* and *Politics*; yet, in the *Rhetoric*, μέντοι is found only four times; καίτοι only five. μὴν is used not only after οὐ (as in the πολιτεία), but also after ἀλλά; οὐ μὴν ἀλλά, though only found once (except in quotations) in the *Rhetoric* (1361 a 29), is not infrequent in the *Politics* (e.g. 1284 b 4, 1262 a, 1264 a, 1290 b) as in the πολιτεία. The argumentative sense of δὴ is common, but δὴ is never found after a superlative (as once in the πολιτεία); as a variation on καὶ δὴ καὶ (which also occurs in the πολιτεία) we have καὶ followed (but never immediately followed) by δὴ; ὅθεν is followed by καὶ in *Pol.* 1384 a 11, ὅθεν δῆλον ὅτι καί; and διό by καὶ in 1301 b 39. After final conjunctions, such as ἵνα and ὅπως, whether the tense of the principal verb be present or not, the optative is hardly ever used, but almost invariably the subjunctive³. Now that ἵνα μὴ συμμειγείν τι has been withdrawn from

¹ *Class. Rev.* v 273 b (H. Richards).

² Cf. van Herwerden’s *Index Dictionis*, s.v. ‘Particulae.’

³ The exceptions are *Pol.* 1320 a 35, and *Eth.* 1117 b 9—12. See Eucken, *De Particularum usu*, p. 53. This work

the text of c. 42, 35, the only exception to this rule in the πολιτεία is in c. 18, 30, ἵνα ἀσεβήσαιεν ἅμα καὶ γένοιτο ἀσθενεῖς, which may possibly be a quotation, as suggested by the introductory phrase, ὡς οἱ δημοτικοί φασιν. In the undisputed works ὅπως ἂν generally has a relative sense, which it does not entirely lose even when the sense appears to be final¹; in the πολιτεία, the only instances of ὅπως ἂν are in quotations from decrees of the fifth century, in which ὅπως with the subjunctive is never found without ἂν²; all the other instances of ὅπως in the πολιτεία are in strict accordance with Aristotle's usage.

In the above statement such divergences as have been noticed may be fairly attributed to the different character of the works compared. There is clearly less scope for a multiplicity of particles, or of illative conjunctions (such as οὖν and τοίνυν and ἄρα), in a consecutive exposition of constitutional history and antiquities, than in the course of a philosophic discussion.

In a review of the πολιτεία it has been well observed by the latest editor of the *Politics*, that 'the style differs much from the style of the recognised works of Aristotle. It is a clear and precise, though a rather bald style, a style which has not the pregnancy which we associate with the style of Aristotle, and is also comparatively free from the ambiguities and irregularities which beset it'. But 'the work before us is a narrative and descriptive work addressed apparently...to the world at large, not to the pupils for whom the recognised works of Aristotle were probably designed, and it is not likely that it would be written in the same style'³. The treatise is in fact the sole representative of the more popular class of writings attributed to Aristotle, and it enables us for the first time to appreciate the justice of some of the ancient encomiums on Aristotle's style, which have hitherto been hard to reconcile with that of his abstruser works. Thus Cicero speaks of his *flumen orationis aureum*⁴, and his *dicendi incredibilis copia* and *suavitas*⁵; and similar phrases are found in Dionysius of Halicarnassus and Quintilian⁶. The encomium in Cicero's *Academica* in particular may indeed owe its exaggerated form to a desire to point the contrast between the style of Aristotle and the style of the Stoics; but the general purport of these eulogies is enough to prove that, at a time when the abstruser writings of Aristotle were imperfectly known, his style enjoyed the reputation of being marked by a singular charm and

has also been used for other details in this paragraph.

¹ Eucken, p. 55.

² Meisterhans, *Gr. d. Att. Inschriften*, p. 212.

³ Mr Newman in *Class. Rev.* v 159.

⁴ *Acad. Prior.* ii 119.

⁵ *Topica* i 3.

⁶ Grote's *Ar.* i 43—47; the passages are quoted at length in my note on the *Orator* of Cic., § 62.

richness and variety. This language has been generally explained as applicable to the lost dialogues of Aristotle; but there seems no sufficient reason for refusing to recognise it as holding good in the case of other popular works, ascribed to the same author. Such a work was the *Ἀθηναίων πολιτεία*, and the style of that work may be fairly described as on the whole smooth and flowing, and severely graceful.

It is perhaps even more than this. It is observed by Blass that its composition is marked by a high degree of attention to laws of rhythm similar to those adopted by Isocrates, and generally approved in the third book of the *Rhetoric*. Within the compass of a single sentence we repeatedly find a series of five to twelve or more syllables immediately followed by another of identical, or nearly identical, rhythm. Many examples of this have been noticed¹ but a single instance of an exceptionally striking character may perhaps suffice for the present purpose (c. 55 § 4):—

(ἐπειδὴν) δὲ παράσχηται τοὺς μάρτυρας
ἐπ-ερωτᾷ, 'τούτου βούλεται τις κατηγορεῖν;
καὶ μὲν ἦ τις κατήγορος κτλ.

Here the first word is followed by a double series of nine syllables, passing off into a double series of eight; and, within each pair of sequences, the quantities of all the syllables correspond.

The general avoidance of *hiatus* in this treatise implies that it is a finished work prepared for popular perusal and not a mere series of memoranda (or *ὑπομνήματα*) for personal use. This point was observed by Blass even in the scanty remains preserved in the Berlin fragments, and also by Mr Newman in the case of the work as a whole. It has since been investigated more minutely by Mr J. W. Headlam in the *Classical Review*.

He shows (1) that a definite principle is observed throughout the greater part of the work. (a) as a general rule *hiatus* occurs only after the article, after numerals, after *καί*, *διά* and *περί*², and after words in which the last vowel is readily elided e.g. *δέ*, *τε*, *τινα*, *ἔπειτα*, *εἴτα*, *ἀλλά*, *μηδέ*, *μήτε*, *πάντα*, *σφόδρα*, *μάλιστα*. *Hiatus* is avoided at a pause, as well as in the middle of a sentence. (β) In quoted documents the rule does not hold (contrast c. 28 with latter part of c. 29). Nor (γ) in certain technical expressions, such as indications of dates, e.g. *εὐθὺς δὲ τῷ ὑστέρῳ ἔτει ἐπὶ Τελεσίνου ἀρχόντος* (22, 21); constitutional terms, e.g. *ἡ βουλὴ ἡ ἐξ Ἀρείου πάγου* (4, 20); and legal phrases, e.g. *περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ᾧ ἂν ἐθέλῃ* (35, 14) and *μὴ εἶναι ἐλεύθερον* (42, 8). To these may be added *ἦ* (or *ᾧ*) *ὄνομα* (14, 27; 17, 13).

(2) The exceptions are very unevenly distributed. A list of all that occur in the first part (cc. 1—41) shows that, at the beginning, clear and undoubted exceptions are very rare: in cc. 1—14 § 3 (omitting c. 7, 21—30), there are only five. In the second part, the first few pages are as free as any in the first part; then cases become more

¹ Blass, *Praef.* xvi—xxv.

² Also after *ἦ*, *εἰ* and *μή*.

frequent, and at the end the rule is almost completely neglected. The author had to insert so many technical expressions that he gave up troubling about the matter. In the first part the more striking exceptions often occur directly after a quotation (c. 32 § 1). In the first part at least, no conjectural emendation should be accepted which violates *hiatus*.

The rule is much laxer than that of the school of Isocrates. Hence the work was not written by any member of that school. On the other hand there is considerable evidence that it is from the hand of Aristotle himself, for the usage in this matter is very nearly the same as that of some of his best authenticated works¹.

While it cannot have been written by any of the Isocratean school it exhibits the same familiarity with the works of Isocrates as that displayed by Aristotle himself². A passage that reminds us of the *Gorgias* is introduced by the characteristic *τινες*, which is Aristotle's favourite way of referring to Plato in the *Politics*³.

Thus far I have endeavoured to state the internal evidence in favour of accepting the treatise as being substantially the work of Aristotle. It is impossible, however, to ignore the fact that not a few highly competent scholars at home and abroad hesitate to accept it as such⁴. Doubtless, in its manner of dealing with matters of history and particularly of chronology, side by side with much minuteness of detail on the subject of dates, there is evidence of occasional carelessness. There is sometimes a certain lack of intellectual force and vigour. And, further, there is an absence of those long and tangled sentences in which Aristotle, as we have hitherto known him, reviews and discusses a rapid succession of difficulties, doubts, and contradictions amid frequent irregularities of construction and amid repeated violations of his own rule against the use of parenthesis (*Rhet.* iii 5 § 7).

Much, perhaps too much, has been made of such points, and in consequence some have been disposed to regard the treatise as simply a product of the Peripatetic School, the work of some pupil writing with or without the general guidance and direction of Aristotle. It must, however, be remembered that, even in the case of works which are without question accepted as Aristotle's, it is extremely difficult to determine how far they were actually composed by him in the form in which they have reached us; how far they are merely notes of his oral teaching, not given to the world in his lifetime, but revised and edited after his death by the industry and devotion of his pupils and successors. Of the usually accepted works of Aristotle it is doubtful whether any one, as a whole, passed beyond the limits of the lecture-room during

¹ *Class. Rev.* v 270—2.

² See notes on 26 § 2 ult., and 35 § 4 ult., and Newman in *Class. Rev.* v 160—1.

³ See note on 26, 23 *χέλπους γενέσθαι*.

⁴ e. g. the Dutch editors; also F. Cauer and F. Rühl; and in England Mr H. Richards and several other contributors to the *Classical Review*.

the life of its author. 'Portions of the *Metaphysics* and *de Caelo*, some at least of the *Parva Naturalis*, the two books *περὶ φιλίας*, now included in the Nicomachean *Ethics*, and the two books on the ideal state, *Politics* vii (iv) and viii (v), may have first seen the light in some other form during the lifetime of Aristotle.¹ On the other hand, the *Πολιτεῖαι* (like the *Dialogues*) 'would have been very likely to see the light early, for they were on a subject of far greater general interest than most of Aristotle's works...It could only be through his *Dialogues* and *Πολιτεῖαι* that he could hope to be immediately known to a wide circle of non-philosophic readers. If he were during his lifetime something more than the revered teacher of a limited circle of pupils, we may safely assume that the publication took place.'²

The above remarks are quoted from the work of an Aristotelian scholar of the highest promise, whose *History of the Aristotelian Writings* was published in 1888, after his own death, and several years before the discovery of the *Ἀθηναίων πολιτεία*. The inference there drawn on grounds of *a priori* probability, as regards the *Πολιτεῖαι* in general, is conclusively confirmed by the internal evidence of the date of the *Ἀθηναίων πολιτεία* in particular. It was certainly written, and probably published, before the death of Aristotle.

I may also appeal to the same unimpeachable testimony as to the exact degree of value to be attached to the evidence afforded by the avoidance of *hiatus* :—

'Wherever it occurs, we have a work, or a portion of a work, in exactly the state which was given to it by the author who threw it into its present form. As to whether this author was or was not Aristotle himself, a good deal may be said on either side.'

On the one hand, 'the Aristotle whom we know shows the most absolute contempt for all matters of style,' and seems little likely to have adopted the Isocratean rule of avoiding *hiatus*. On the other, there is 'nothing wonderful or difficult in keeping one style for oral lectures and another for published books. Still less wonderful would it be if there was a wide difference to be found between mere notes for such lectures and deliberately finished publications'³.

Assuming, as we fairly may, that the *Ἀθηναίων πολιτεία* was a work of Aristotelian origin, it may still remain uncertain whether it was prepared for publication by the great teacher himself, or by some unknown and unnamed pupil who was skilled in certain graces of style that were apt to win the popular ear. The latter hypothesis might help to account for certain divergencies from the diction of the generally accepted works of Aristotle. To the interposition of such an editor we might perhaps attribute the general smoothness of style that marks its composition.

¹ Shute, *History of the Aristotelian Writings*, p. 23.

² Shute, p. 23.

³ Shute, p. 165 f.

To the same source we might possibly trace certain inaccuracies of historical statement that tend to impair the authority of the work. But even Aristotle himself may have been quite capable of making a mistake in matters of history. The 'master of those who know' was not necessarily omniscient.

It must also be admitted that works like the *Πολιτεῖαι*, owing to the miscellaneous character of their contents, were, in their transmission from age to age, peculiarly liable to interpolation. It has even been suggested that, like the *History of Animals* and the *ιστορίαι* generally, 'they represent not any fixed work of Aristotle or of anyone else, but merely a continuously open note-book'¹. The 'Αθηναίων πολιτεία may have suffered to some extent from this cause of corruption.

The difficulties as to the authorship of the treatise appear to be fairly met by an eminent Transatlantic scholar who expresses his opinion as follows:

'We are compelled to believe, from many indications, that it was written mainly by Aristotle, with perhaps the help of a pupil who prepared certain of the less important passages, the padding as it were; the work was then revised, but not rewritten, by him. If we are ready to maintain—a proposition by no means self-evident—that the main body of the writings current as Aristotle's are the genuine works of the master in their original form, and that, accordingly, they are the only norm by which everything else is to be tested, we may still account for the "non-Aristotelian" peculiarities of the language of the 'Αθηναίων πολιτεία as due, in part, to the fact that the historical sources (epigraphic and literary) are often given in verbal quotations, or at least in paraphrases that retain original forms of expression; due in part, perhaps, to the stylistic idiosyncrasies of an assistant whose work was incorporated with the master's, and finally to the most significant fact that the work was intended not for the scientific inner circle, but for the general reader'...

'The evidence, internal and external, of essentially Aristotelian authorship, as well as authority, seems so overwhelming, that, as between the two alternatives, one should prefer to modify his conceptions of Aristotle than reject this treatise. As Diels² has pointedly phrased it:—*Diese 'Αθηναίων πολιτεία [ist] nicht nur echt aristotelisch sondern aristotelischer als die meisten der uns erhaltenen Lehrbücher an welcher sich jene Skeptiker halten*'³.

If we now revert to the evidence of ancient writers who, either directly or indirectly, quote the 'Αθηναίων πολιτεία as the work of Aristotle, we find that, out of 56 fragments in which the 'Αθηναίων πολιτεία is expressly mentioned, 53 are found in our MS; of the remaining three, one (*Frag*^a. 385) belongs to the lost beginning, one (463) to the mutilated end; the third (447) is an inaccurate transcript of c. 54 § 2. Of the 35 fragments in which Aristotle is named without any express mention of the work, 25 are found in the MS; of the remainder, three belong to the lost beginning (381, 384, and the new fragment on p. 253,

¹ Shute, p. 72.

² *Archiv f. Gesch. d. Philos.*, iv, p. 479.

³ Prof. J. H. Wright, *The Date of Cylon*, p. 22 f.

l. 50); seven probably do not come from this work at all (382, 386, 392, 399, 401, 415, and part of 394); one (456) may possibly have come from the mutilated end of the work; and one (396) is a misquotation of the text, which can readily be brought into harmony with it. Thus, of the total number of 93 fragments (of which 86 are probably genuine references to this work), 78 are found in the MS, and all the rest are satisfactorily accounted for¹. More than 50 of the fragments of the *πολιτεία* are preserved by Harpocration alone, and all of these are found in the MS.

Lastly, the Berlin fragments are all here. These fragments correspond to the following passages in the text:

I *a* begins before *δουλεόντων* and ends with *ἀνδρῶν*, c. 12, 26—52.

I *b* begins before *ἄρχοντα* and ends with *χρέα*, c. 13, 4—22.

II *a* begins before *Ἀθηναῖοι* and ends after *φυλῆς ἐκάστης*, c. 21, 18—c. 22, 10.

II *b* begins before *Ἱππαρχος* and ends after *τριήρεις*, c. 22, 19—37.

In I *a* the long Iambic passage is written as consecutive prose, and I *b* is less complete than II *a* and *b*. Hence it is difficult to found any calculation on leaf I. But the contents of leaf II are equivalent to 44 lines of print in the present edition. Hence one page is equivalent to about 22 (say 24) lines of print. The number of lines of print now lost between the bottom of leaf I and the top of leaf II is 240 (4 + 30 + 26 + 44 + 18 + 38 + 39 + 23 + 18). Thus it is not improbable that the lost portion is equivalent to 10 pages, and that the MS was made up of gatherings of 12 pages each. The number of lines in our printed text preceding I *a* is 245, which would take up only 10 pages. Hence the first two pages of the lost MS to which the Berlin fragments belong, were either left blank, or they actually contained the beginning of the treatise. If the latter, then the amount of the *Ἀθ. πολ.* which is now lost is equivalent to about 44 to 48 lines of the present edition.

§ 8. *Authorities followed in the Ἀθηναίων πολιτεία.*

The only authors actually named by the writer are Solon and Herodotus. From SOLON he quotes a large number of verses, most of them already familiar to us through Aristides, who shows no proof of any acquaintance with the poems of Solon, beyond that which he derived from the present work. The writer's debt to HERODOTUS is far larger than appears at first sight. He only mentions the historian once (c. 14), but he closely follows him in the account of Peisistratus and Cleisthenes (cc. 14, 15, 20), though not without interesting variations. He also borrows from THUCYDIDES, while deliberately differing from him on several important points in the story of Harmodius and Aristogeiton (c. 18). He coincides with the historian in many parts of his narrative of the revolution of the Four Hundred (cc. 29, 33); but the

¹ The same facts have been duly stated by Mr Kenyon in his *Introduction*, p. xv; revised in ed. 3, p. xvi.

coincidence is not complete, and the writer quotes original documents which are not quoted by the historian. As regards XENOPHON, we find a close resemblance in the account of the speech of Theramenes (c. 36) and elsewhere; at the same time, the divergences are sufficiently numerous to suggest that the authority followed here was the same as that followed at a later date by Diodorus Siculus. This authority has sometimes been supposed to have been the *Hellenica* of Theopompus¹; it has also been suggested that the writer owes to another work of Theopompus, the tenth book of his *Philippica*, his list of the Athenian demagogues, and his portrait of Cleon. It is just possible that the exaggerated account of the generosity of Cimon, which appeared in that work, is tacitly corrected in c. 27 § 3. But there is reason to believe that Theopompus did not publish his work until 324, after Alexander's departure from India; if so, it was later than the *πολιτεία*. The common source, followed by Diodorus as well as the writer, was more probably EPHORUS, who is expressly mentioned by Diodorus².

As regards the writer's relation to the various writers of 'Ατθίδες, there is no trace of any indebtedness to Hellanicus, whose carelessness on points of chronology³ would have been enough to prevent his being trusted by a writer who usually aims at being precise in matters of chronological detail. To CLEIDEMUS, the next in order of time, we may probably attribute the Ionism in c. 14 § 4, where the form *παραιβατούσης* appears to be an echo of *παραιβατήσασαν* in Cleidemus' description of the stately woman who assumed the garb of Athene and rode in the chariot of Peisistratus on the occasion of his first restoration to Athens. The account of the disciplinary powers entrusted to the Areopagus (c. § 6), bears some resemblance to a passage attributed to PHANODEMUS; but a statement to the same effect is attributed to a writer of the next generation to that of Aristotle, namely Philochorus, who may, however, have borrowed his phraseology from Phanodemus. In any case, the resemblance between the passage in the *πολιτεία* and that attributed to 'Phanodemus and Philochorus' is not sufficiently close to make it quite certain that the writer was following Phanodemus⁴.

ANDROTION may be identified with the person attacked in the 22nd speech of Demosthenes; he may therefore be placed earlier than the age of Aristotle. If so, he is closely followed in the account of the ostracism of Hipparchus son of Charmus (22 § 3); and the statement as to the number of the *συγγραφεῖς* in c. 29 § 2 is in accordance

¹ Th. Reinach's *Transl.* of 'Αθ. πολ., p. xxiv.

² xiv 11 and 22; Bauer, *Forschungen*, p. 155. Theopompus, in Pollux, v 43.

³ Thuc. i 97, *βραχέως τε καὶ τοῖς χρόνοις οὐκ ἀκριβῶς*.

⁴ See note on p. 12 a.

with that of Androtion. But the writer differs from Androtion as to the nature of Solon's *σεισάχθεια*, without going out of his way to controvert it. Here, as sometimes elsewhere, he is only tacitly polemical.

The most famous of the writers of *Ἀτθίδες*, Philochorus, belongs to the age after that of Aristotle, and has several points in common with the writer of the *πολιτεία*. As has been shown by Professor Wright, it is not improbable that he actually quoted the latter and accepted it as the work of Aristotle¹.

On the relations subsisting between the *Ἀθηναίων πολιτεία* and the *Atthidographi*, I may be allowed to quote some criticisms for which I am indebted to the kindness of Mr W. L. Newman.

It is remarkable that while, in the *Politics*, there is little to remind us of the writings of the *Atthidographi*, in the *πολιτεία* there is much. This indeed holds good of the *Πολιτεῖαι* generally. No doubt it is not unnatural that the 'Constitutions' ascribed to Aristotle, containing as they do sketches of local history, should follow the model furnished by local histories like the *Atthides*; still it is strange that, if Aristotle was the author of these 'Constitutions,' he should be so little influenced by the *Atthides* in the *Politics*, if indeed he is so at all. Readers of the *πολιτεία*, on the contrary, find it hard to avoid the suspicion that some *Atthis* has been largely used by the writer, very possibly the *Atthis* of Androtion. We may note the following resemblances between the *Ἀθ. πολ.* and the other *Πολιτεῖαι* ascribed to Aristotle on the one hand, and the writings of the *Atthidographi* on the other:—

(1) The *Ἀθ. πολ.* is up to the mark of the last new historical fashion in respect of chronological exactitude. No doubt the effort to be chronologically exact is traceable early in the development of Greek historical literature. Thucydides knows the date of the fall of Troy (i 12), and the approximate date of the founding of Melos (v 112). Still the passion for chronological exactitude increased during the fourth century B.C. and later; for instance, Ephorus (*Frag.* 9 a) and Callisthenes knew that Troy was taken on the 23rd of Thargelion. As to Timaeus see Diod. v 1 and Polyb. xii 10. Nothing of this care for exactness in dates appears in the *Politics* or in other recognised writings of Aristotle. The writer of the *Ἀθ. πολ.*, again, often dates by archons, but Aristotle never does so in the *Politics*. This dating by archons was perhaps no new thing in historical writing; some think that Hellenicus reckoned by archons, but here again we have an *Atthidographic* feature. Androtion and Philochorus reckoned by archons (Busolt, *Gr. Gesch.* i 363, note 4); see also Philoch. *Frag.* 52 (where Philochorus knows in whose archonship at Athens Homer flourished) and Androt. *Frag.* 46.

(2) The *Ἀθ. πολ.* and other Constitutions ascribed to Aristotle resemble the *Atthides* in the interest they show in the origin of words and familiar phrases. See *Ἀθ. πολ.* c. 2, 5; 6, 12; 13, 25; 21, 6 and 21; 45, 7 &c.; and Aristotle's Constitutions (*Frag.*³. 477, 484, 488, 491, 495, 512, 514, 519, 536, 562, 580, 582, 595, 596); and compare Androtion, *Frag.* 28—29, 33; Phanodem. *Frag.* 1, 13, 14; Ister, *Frag.* 28, 32, 35, 39, 43, 52, 57; Philoch. *Frag.* 4, 5, 6, 7, 10, 12, 16, 42, 48 and many others. The interest which the *Ἀθ. πολ.* and the other Constitutions show in these matters is a good deal more marked than that which we trace in Aristotle's recognised works, and the same may be said of

¹ *American Journal of Philology*, xii 310 f.; *supra*, p. xix f.

(3) the interest which the 'Αθ. πολ. and other Constitutions sharé with the *Attikides* in (A) the origin of institutions and the like, and (B) the explanation of proverbs.

As to (A), compare 'Αθ. πολ. c. 8, 3 and *passim*, and Aristotle's Constitutions, *Frag.*³ 475, 479, 501, 511, 519, with Philoch. *Frag.* 51, 56, 66, 189.

As to (B), see 'Αθ. πολ. c. 16, 18; 21, 6 &c., and Aristotle's Constitutions, *Frag.*³ 487, 505, 513, 523, 528, 545, 558, 559, 571, 584, 591, 592. Demon, one of the *Attidographi*, wrote a book about Proverbs (Müller, *PHG* i 379).

In choosing his authorities and in deciding between them when they differ, the author is guided by the consideration of the comparative probability of the accounts before him. He repels the calumnies against Solon (6) and Theramenes (28); and, in the story of Harmodius and Aristogeiton, gives an adequate reason for not accepting an opinion sanctioned by Thucydides (18 § 4). On the other hand, he is himself far from infallible as a historian. There is much confusion in the chronology of the years between the archonship of Solon and that of Damasias II (p. 50); and in that of the times of Peisistratus (p. 56). The presence of Themistocles in Athens in 462 seems impossible to reconcile with the chronology of his later years suggested by the *data* in Thucydides (p. 101); and there are several grave inaccuracies in the brief allusion to the trial of the generals after the battle of Arginusae (p. 129).

Besides relying on the testimony of Solon's poems, the writer draws inferences from popular poetry such as the *scolium* in honour of Cedon and that on the baffled heroes of Leipsydrium (cc. 19, 20). He quotes archaeological evidence derived from the κύρβεις of Solon (7 § 1), from the prae-Solonian coinage (c. 10), and from a relief and inscription on the Acropolis (7 § 4). He alludes to proverbial phrases, χωρίον ἀτελές (16 § 6) and μὴ φυλοκρινεῖν (21 § 2). He also takes special pains in quoting official documents¹.

The decrees proposed by Aristion (14 § 1) and Themistocles (22 § 7) are noticed in general terms; that proposed by Pericles in 451—0 (26 ult.), is expressly quoted. The official documents cited *in extenso* are those connected with the revolution of the Four Hundred in 413; viz. the motion of Pythodorus for the appointment of 30 συγγραφεῖς, with the amendment by Cleitophon; the formal record of the preliminary

¹ In these quotations we find a minute but not uninteresting proof of his fidelity: in the whole work, out of 17 instances of ὅπως with subjunctive or with future indicative, we have only two of ὅπως ἂν with the subjunctive (29, 24, and 30, 20); both of these occur in decrees of the fifth century, and the inscriptions of that century give us 16 instances of ὅπως

ἂν, and none of ὅπως with the subjunctive. In view of this fact it is clear that in 29, 18 ὅπως ἀκούσαντες is only a copyist's mistake for ὅπως ἂν. This is noticed by Prof. Wright in *The Nation*, 1 May, 1891, p. 383. It must not, however, be inferred that ὅπως c. fut. is not found in inscriptions: on the contrary it is very common (Meisterhans, note 1705²).

proposals and of the constitution drawn up by the *συγγραφεὺς* (c. 29); with the ultimate and the provisional constitutions drawn up by the hundred Commissioners (cc. 30, 31). We have also the terms of the reconciliation effected between the oligarchical and democratic parties in 403 (c. 39). These documents were presumably preserved among the archives of the State in the *Metroon*; but they probably owed their publication not only to their historical importance, but also to their including typical forms of oligarchical constitutions which afforded suitable themes for discussion among students of the theory of politics. The writer's evident interest in the detailed history of the period between B.C. 413 and 403 is one of the considerations in favour of identifying him with the author of the *Politics*. In the latter Aristotle selects the Revolution of the Four Hundred as a typical instance of a revolution effected by fraud on the part of those who, when the deception is over, still endeavour to retain the government by force (1304 b 12, quoted on c. 29, 8). Elsewhere, while discussing revolutions in oligarchies arising within the governing class, he mentions, as first of the two types of the oligarchical demagogue, 'one who practises on the oligarchs themselves; for, although the oligarchy are quite a small number, there may be a demagogue among them, as at Athens the party of Charicles predominated among the Thirty, that of Phrynichus in the Four Hundred' (1305 b 24—27). It is, however, only fair to add that neither Phrynichus nor Charicles is mentioned in the *πολιτεία*.

In the absence of direct historical evidence, the writer's favourite form of argument is that indicated by Mr Macan in an interesting contribution to the *Journal of Hellenic Studies*. 'The author has a source of knowledge, or rather a method of reconstruction, to take the place of direct testimony, tradition or evidence. This method consists in a process of inference from the present to the past, from existing circumstances to their presumable antecedents, from a given state of institutions to a former condition of the same'.¹ As instances in which the author mentions the employment of this method by others, we have (1) the oaths of the nine Archons (3 § 3); and (2) the property qualification of the *ἱππεῖς* (7 § 4). He uses it himself in cases such as the following: (1) the sacral marriage of the *βασίλιννα* (3 § 5); (2) the Solonian method of appointing officials (8 § 1); (3) the institution of the *οἱ κατὰ δῆμους δικάσται* by Peisistratus (16 § 5); and (4) the motive for the institution of ostracism by Cleisthenes (22 § 3)².

¹ *J. H. S.* 1891, p. 37.

² *ib.* p. 38. For some of the 'signals

of this method,' cf. note on 8 § 1, p. 30, ὅθεν ἐτι διαμένει.

§ 9. *Abstract of the Ἀθηναίων πολιτεία.*

The work is divided into two parts, (1) a Sketch of the Constitutional History of Athens down to the Restoration of the Democracy in 403 B.C. (cc. 1—41); and (11) a detailed analysis of the machinery of the Constitution between 328 and 325 B.C. (c. 42 to the end). The first has been well described as a 'Primer of Constitutional History'; the second, as a 'Citizen's Handbook.'¹

Part I, in its complete form, comprised an account of the 'original constitution' of Athens, and of the eleven changes through which it successively passed (c. 41). Accordingly, in the following abstract, we have to deal with a series of twelve constitutions.

(1) *The constitution in the time of Ion.* The original constitution of Athens was an absolute monarchy. In process of time, owing to some of the hereditary line of kings being feeble in war, ION, the son of Apollo by the daughter of an Attic king, was summoned to their aid, and invested with military command. Such was the origin of the office of *Polemarch*, which was second to that of *Basileus* in order of date (3 § 2). In the days of Ion, the people were divided into four tribes, with four *φυλοβασιλείς* or 'tribal kings' (41, 6—9). To Apollo's son, the first Polemarch, the Athenians owed the name of Ionians and the worship of Apollo *πατρώος* (frag. 381³).

(2) *The constitution in the time of Theseus.* Under THESEUS, we are simply told that the constitution exhibited a slight divergence from absolute monarchy (41, 10; and frag. 384³).

[About 1088 B.C., on the death of Codrus, and the accession of his son Medon, the kingly power ceased to be hereditary. Henceforth the kings were elected for life from members of the royal house.]² By the side of the King, the *Polemarch* was already in existence as commander in the time of war; and in the reign either of Medon, or his son Acastus, a third office, that of *Archon*, came into being, and was endowed with some of the royal prerogatives by the descendants of Codrus (3 § 3). In process of time the name of Archon was transferred from the third officer of State to the first [c. 753/2 B.C.]. The chief Archon was elected [from the royal house], but his term of office was limited to ten years (3 § 1 end), while the title of King, with the privilege of attending to certain religious duties, was assigned to another archon, called the *Basileus*. It was not until the three primary offices of State, those of Archon, Polemarch and Basileus, had become annual [c. 683/2 B.C.], that their number was increased by the institution of the six *Thesmothetae*, whose duty it was to record and preserve all legal decisions with a view to their being enforced against transgressors of the law (3 § 4). In the course of time the Archons were elected by the Council of the Areopagus (8 § 2) under qualifications of birth and wealth (3 § 1), while the Areopagus itself was composed of those who had filled the office of Archon.

¹ *Cambridge Review*, 20 Feb. 1891, p. 212 a.

² Throughout this abstract, dates and other items derived from sources extraneous to the treatise itself are distinguished by being placed within brackets.

Such items generally represent the traditional accounts of Attic history accepted (whether rightly or wrongly) by the Athenians themselves.—The dates in this paragraph depend mainly on the *Marmor Parium* (Busolt, *Gr. Gesch.*, i 404¹).

It was the duty of the Areopagus to maintain the supremacy of law, to inflict personal punishments and fines, and to administer the State in general (3 § 6).

[In an Olympic year between 636 and 624 B.C.] an attempt to seize despotic power was made by a young nobleman named Cylon [who had been a victor in the Olympic games of 640]. The attempt was unsuccessful: the adherents of Cylon were put to death under the authority of the Archon Megacles, of the house of the Alcmaeonidae, who violated their right of sanctuary and thus brought a curse on Athens and his descendants (*Heracl. Epit.* § 4).

The constitution at this time was thoroughly oligarchical. There was a conflict between the various orders in the State: the land was in the hands of a few; discontent prevailed among the poor, who, if they failed to pay their rent, became the slaves of the rich (c. 2).

(3) *The Constitution of Dracon.* It was with a view to providing a remedy for these evils that (in 621 B.C.) the first code of law was drawn up by DRACON (41, 11). The franchise was at this time possessed by all who could provide their own equipment for war. It was these who elected the Archons and other principal officers of State; and out of their own body a Council of 401 members was appointed by lot from among those who had attained the age of 30. Members of the Council were liable to fines varying with their social status. The Council of the Areopagus continued to maintain the supremacy of law and the efficient discharge of the duties assigned to the officers of State; it also received formal complaints from persons aggrieved by the infringement of any statute (c. 4).

In due time the friends of the exiled members of Cylon's party acquired sufficient power to compel the Alcmaeonidae to submit to a trial before a special court of 300 citizens selected from the noblest families of Athens. They were found guilty; the dead bodies of the offenders were cast out, and their surviving relatives condemned to perpetual exile. Athens was further purified from the curse of sacrilege by Epimenides (c. 1).¹

(4) *The Constitution of Solon.* Dracon's legislation having failed to remedy the wrongs of the poor, the conflict of the orders broke out afresh and was not allayed until [c. 594 B.C.] both parties agreed on choosing SOLON as mediator and as Archon (5 § 2). Solon cancelled all existing debts, whether public or private; and for the future he made it illegal to lend money on the security of the person of the debtor (6 § 1). With the exception of the laws on homicide, the code of Dracon was repealed, and a new code published. The people were divided into four classes, *Pentacosiomedimni*, *Hippeis*, *Zeugitae*, and *Thetes*; the various offices of State being now assigned to the first three classes in proportion to the amount at which they were severally rated, while the fourth class had only the right of taking part in the public Assembly and in the Law-courts (c. 7). The nine Archons were now appointed by lot, out of forty selected candidates, nominated to the number of ten by each of the four tribes. A Council of 400 was also constituted, 100 from each tribe. The Areopagus, which still retained the duty of supervising the laws and maintaining the constitution in general, was now empowered to try cases of treason (c. 8). In Solon's constitution the specially democratical elements were:—(1) the prohibition of loans on the security of the person; (2) the privilege of every citizen to claim legal satisfaction on behalf of any one who was wronged; and (3) the right of appeal to the law-courts. The power of voting in the law-courts made the com-

¹ On the date of Epimenides, see p. 3, and cf. Prof. Wright's *Date of Cylon*, pp. 70 and 74, where the visit of Epi-

menides, as well as the trial of the Alcmaeonidae, is conjecturally assigned to 615 B.C.

mons master of the constitution (c. 9). Solon also introduced a new standard of coinage, and of weights and measures (c. 10). His legislation, however, did not prove acceptable to either of the two great parties in the State. Finding himself beset and harassed by both, and declining to make himself despot at the expense of either, he withdrew for ten years to Egypt (c. 11).

When he had gone abroad, although the State was still disturbed by divisions, they lived in peace for four years; but, in the next year, and again four years later, their divisions prevented the election of an Archon. After another term of four years(?), the choice fell on Damasias [582], who succeeded in remaining in office for two years and two months. The interval of civil strife was closed by an agreement to elect ten Archons from the several orders in the State, five from the *Eupatridae*, three from the *Agroeci*, and two from the *Demiurgi*. But the general discontent was not allayed. Some of the rich had lost their wealth; others had lost their political power; a few besides were inspired by personal ambition. At this time the three parties of the Shore, the Plain and the Highlands, representing the moderate, the oligarchical and the democratic spirit respectively, were under the leadership of Megacles, Lycurgus, and Peisistratus. The party of Peisistratus was reinforced by those whom Solon's legislation had deprived of the debts due to them, and also by persons whose dubious birth gave them an uncertain claim to the rights of citizenship (c. 13). These struggles found their issue in the tyranny of Peisistratus and his sons.

(5) *The tyranny of Peisistratus and his sons.* PEISTRATUS, who had won distinction in the war against Megara, persuaded the people to grant him the protection of a body-guard, and with the aid of the latter seized the Acropolis (560 B.C.). He ruled in a constitutional spirit; but, five years later, he was expelled by a coalition between the parties of Megacles and Lycurgus. Eleven(?) years afterwards he was restored by the aid of Megacles on condition of marrying his daughter (14). This condition was only nominally fulfilled; and, about six years later, he was once more expelled. He withdrew to Macedonia, where he acquired money and mercenary troops. Ten years subsequently, with the help of Thebes, of Lygdamis of Naxos, and the Knights of Eretria, he recovered his power and disarmed his subjects (15). His rule, however, was mild and humane. To encourage agriculture he advanced money to the poorer classes, with a view to their staying in the country and looking after their own affairs instead of coming into the town and taking part in public business. With the same object he instituted 'local justices,' and himself visited various parts of the country, thus making it unnecessary for the tenants to neglect their farms by bringing their grievances to Athens. Besides this, the cultivation of the soil promoted an increase in his revenues (16).

Peisistratus died in 527/6 B.C., having held actual possession of his power for nineteen out of the thirty-three years that had elapsed since he had originally established himself as 'tyrant' (c. 17). He was succeeded by his sons Hippias and Hipparchus, who at first ruled in their father's spirit; but, when Hipparchus had been slain in the conspiracy of Harmodius and Aristogeiton (c. 18), the rule of Hippias became more severe. Three years afterwards (c. 19 § 2) he was expelled by Cleomenes, king of Sparta (in the spring of 510 B.C.).

(6) *The Reforms of Cleisthenes.* After the overthrow of the tyranny the rival leaders in the State were Isagoras, an adherent of the tyrants, and CLEISTHENES, of the house of the Alcmaeonidae. Isagoras invited the aid of Cleomenes. Thereupon Cleisthenes withdrew, while Cleomenes vainly endeavoured to supersede the Council and to set up a body of 300 partisans of Isagoras in its place. Cleisthenes soon returned, and became leader of the people (c. 20). In 508 B.C. he distributed the population

into ten tribes instead of the existing four; and instituted a Council of 500 (fifty out of each of the ten new tribes), in place of that of 400 (100 out of each of the four tribes). He also made the deme the unit of his social organisation, combined the demes into groups (*τριτῖες*), and assigned these groups to the several tribes in such a manner that each tribe had three groups allotted to it, one from the urban or suburban district, one from the coast, and one from the interior (c. 21). The reforms of Cleisthenes made the constitution more democratic than that of Solon. Among the laws now passed was that concerning Ostracism, which was at first intended to serve as a safeguard against the reestablishment of a tyranny. In 504 B.C. [or, more probably, in 501], the oath, which was still in use in the writer's time, was first imposed on the Council. The Generals were elected according to tribes, one from each tribe (22 § 2). The law of Ostracism was enforced for the first time in 488/7, two years after Marathon, the person ostracised being Hipparchus son of Charmus (§ 4); he was followed in 487/6 by Megacles [a nephew of Cleisthenes], by Xanthippus [the father of Pericles] in 485/4, and about 484/3 by Aristides. Meanwhile, in 487/6, for the first time since the establishment of the tyranny, the nine Archons were appointed by lot out of 500 [or more probably, 100] candidates selected by the demes. In 483/2, on the discovery of certain silver mines in Attica, Themistocles persuaded the people to lend the proceeds to the hundred wealthiest men in Attica, and thus brought about the building of the hundred triremes, with which the battle of Salamis was won [480].

(7) *The supremacy of the Areopagus.* Thus far the growth of the democracy had been advancing with the gradual growth of Athens; but, after the Persian wars, the Council of the Areopagus once more assumed the control of the State. It owed this high position, however, not to any formal decree, but to the spirited action it had taken in connexion with the battle of Salamis. When the Generals were unable to cope with the crisis, it was the Areopagus that provided pay for the crews, and thus ensured the manning of the fleet and the gaining of the victory (23 § 1). The leaders of the people at this time were ARISTIDES and THEMISTOCLES. On the establishment of the Confederacy of Delos, Aristides assessed the amount to be paid to the common fund by the allies of Athens, beginning with the year 478/7 (§ 5). By his advice the inhabitants of Attica left the rural districts and settled in the city, on the assurance that all of them would be able to maintain themselves by the discharge of military duties or by taking part in public affairs, and would thus secure the control of the league. Thus it was that Athens came to adopt the policy of oppressing her allies, from which Chios, Lesbos and Samos alone were exempt.

(8) *The restored and developed democracy.* The supremacy of the Areopagus lasted for about seventeen years (478 to 462 inclusive). The power of the people was meanwhile increasing, and EPHIALTES, on becoming their leader, attacked the Areopagus, by depriving it of all the more recent privileges by which it had attained the control of the constitution, transferring some of them to the Council of Five Hundred, and others to the Assembly and the Law-courts (462 B.C.). In this revolution he was aided by Themistocles (25).

Thereupon the administration of the State became more and more lax owing to the rivalries that arose between successive aspirants for popular favour. At this time the aristocratical party had no real chief, although their leader was Cimon, who was comparatively young for that position, and had been rather late in entering on public life. In 457/6 the office of Archon was thrown open to the *Zeugitae*. In 453/2 the thirty 'local justices' were restored; and in 451/0, on the proposal of PERICLES, it was enacted that the franchise should be limited to those who were of citizen blood by both

parents (26). Under Pericles, the constitution became still more democratic. He deprived the Areopagus of some of its ancient privileges, and also prompted Athens to aim at the empire of the sea (27 § 1). The Peloponnesian war (B.C. 431—) inured the people to military service, and led to their assuming the administration of the State (§ 2). Pericles was also the first to provide pay for serving in the Law-courts (§ 3).

So long as he was leader of the people, public affairs were managed comparatively well; at his death there was a great change for the worse (28 § 1). It was then that, for the first time, in the person of Cleon, the people had for their leader one who was of no reputation among the upper classes (§ 2); on the other side, the leader of the aristocracy was Nicias. These two were succeeded by Cleophon and Theramenes respectively. It was Cleophon who was the first to provide each citizen with the grant of two obols for a seat in the theatre (§ 3); and the series of demagogues, who succeeded him, owed their position to their recklessness of language, and to their readiness to gratify the immediate desires of the populace (§ 4). Of the leaders of the aristocratical party, Nicias and Thucydides (son of Melesias) are justly esteemed as statesmen. Concerning Theramenes there is a conflict of opinion; but, on calm reflection, it is clear that, so far from subverting every kind of constitution, he really supported each in turn, so long as it was faithful to the laws; thus proving that, like a good citizen, he was capable of living in contentment under any form of government, while he could never be a party to unconstitutional conduct, but on the contrary was always its resolute foe (§ 5)¹.

(9) *The revolution of the Four Hundred.* After the failure of the Sicilian expedition [Sept. 413], when the power of Sparta had been increased by her alliance with Persia, Athens was compelled to abolish her democracy and to accept the oligarchical revolution of the Four Hundred. At this crisis it was proposed by Pythodorus that the popular Assembly should elect a Committee of thirty in all, to draw up proposals for the public safety; and that any other person might make such proposals as he pleased, so that the people might decide on whatever course it thought fit (29 §§ 1, 2). An amendment moved [and probably carried] by Cleitophon made it an instruction to the Committee to take into consideration the constitution of Cleisthenes in drawing up their report (§ 3). The Committee reported in favour of the Prytanes being compelled to put to the vote any motion for the public safety (instead of exercising their own discretion in the matter). They also proposed the abolition of all indictments for illegal motions, all impeachments before the Council or the Assembly, and all citations before the Law-courts, so that nothing should hinder any citizen from offering such counsel as he thought fit. If any person attempted, either by fine or citation or prosecution, to prevent such counsel being given, he was to be summarily brought before the Generals and delivered up to execution (§ 4). They further drew up the following form of constitution:—The revenues were to be spent solely on the conduct of the war. So long as the war lasted, no officers of State were to receive any pay except the nine Archons and the Prytanes. The franchise (including the right of making treaties) was to be entrusted to not less than Five Thousand of the citizens who were best able to serve the State. The list of the Five Thousand was to be drawn up by a Commission of one hundred formed by electing ten out of each of the tribes (§ 5).

When these proposals had been ratified, the [provisionally acting body of] 'Five Thousand' elected from among their own members the hundred Commissioners for

¹ There is a monograph on Theramenes by Dr Carl Pöhlig (Teubner, 1877). On the party of 'moderate oligarchs'

to which Theramenes belonged, see Dr Jackson's article on *Socrates* in *Encycl. Brit.* ed. 9.

drawing up the constitution. The Commissioners proposed for the future a Council, which was to be in power for a year at a time, and to include certain officers of State (about 100 in all) as members *ex officio*. The Council was to appoint these out of a larger number of selected candidates chosen out of the members of the Council for the time being. All other offices were to be filled by lot (30 § 2). There were to be four Councils of four hundred each, such four Councils serving in turn, for a year each, in an order to be determined by lot (§ 3). Members of the Council absent without leave were to be fined (§ 6).

For the immediate present, there was to be a Council of Four Hundred (as in the constitution of Solon), forty from each tribe, appointed out of a larger number selected by the members of the several tribes. This Council was to appoint the officers of State, and to have complete discretion in questions of legislation, official audits, &c.; but was to have no power to alter the new constitution (31 § 1). Military officers were to be elected provisionally by the 'Five Thousand,' but ultimately by the Council (§ 2). No office, except that of a General or a member of the Council, was to be held more than once (§ 3).

About the end of May, 411, the existing Council was dissolved; and on June 7 the Four Hundred entered on office. An oligarchical constitution was thus established nearly a century after the expulsion of the tyrants (510). The leaders of the Revolution were Peisander, Antiphon and Theramenes. The Four Hundred sent envoys to Sparta, proposing the termination of the war on the basis of *uti possidetis*; but, as the envoys declined to surrender the maritime supremacy of Athens, Sparta refused to come to terms (c. 32).

(10) *The restored Democracy.* The defeat of Athens in the naval battle of Eretria, and the consequent loss of Euboea, led the people to depose the Four Hundred, after they had been in power for four months (May to August, 411); and to entrust the management of affairs to the Five Thousand, a body consisting of all citizens capable of providing a military equipment. No pay was to be given for any public office. This revolution was led by Aristocrates and Theramenes, both of whom disapproved of the Four Hundred for keeping all the power in their own hands, and not referring anything to the Five Thousand. The constitution at this time appears to have worked excellently, inasmuch as it was a time of war and the franchise was entrusted to those who provided a military equipment (c. 33).

[After the victories in the Hellespont in 410] the people soon deprived the Five Thousand of their exclusive right to the franchise. In 406 the victory of Arginusæ was won, but that victory was attended with the following results: (1) Under the misleading influence of passionate appeals to the feelings of the people, all the Generals who had won that victory had their fate sealed by a single verdict (see note on pp. 129—130); and (2), when Sparta proposed to evacuate Decelea, Cleophon protested that she should be required to surrender all the cities that owed allegiance to her (34 § 1). Athens soon had good reason to regret her mistake. In 405 she was vanquished at Aegospotami; and Lysander became master of Athens and established the rule of the Thirty (§ 2).

(11) *The despotic government of the Thirty and of the Ten.* The THIRTY, instead of framing a constitution, appointed a Council of five hundred, out of a large number of selected candidates; associated with themselves ten officials in the Peiræus, eleven superintendents of the prison, and three hundred attendants; and, with the help of these, kept the city completely under their own control. At first they acted with moderation: they professed to restore the ancient constitution; repealed the laws of Ephialtes curtailing the privileges of the Areopagus; and abolished the limitations

to the right of bequest granted by Solon. But, as soon as they had established themselves in power, they proceeded to put to death those who were eminent for wealth or birth or reputation; and, within a short time, the number of their victims rose to 1,500 (c. 35). Alarmed, however, by the indignant protests and the ever increasing popularity of Theramenes, they offered to draw up a list of 3,000 who were to receive the franchise. Theramenes was still dissatisfied; the list was withheld, and, when published, was constantly liable to arbitrary alterations (c. 36).

Meanwhile, winter set in, and the Thirty were repulsed in their attack on Thrasybulus, who, with the exiles of the democratic party, had taken possession of the fort of Phyle. The Thirty now resolved on disarming the people and getting rid of Theramenes. For the latter purpose they compelled the Council to pass two proposals, (1) giving the Thirty power to put to death any person not included in the list of the 3,000; (2) preventing any one from enjoying the franchise if he had taken part in demolishing the fort of Eetioneia or had in any way opposed the Four Hundred. Theramenes had done both. After putting him to death, they disarmed all the people except the 3,000; and proceeded to further extremities of cruelty and crime (37).

After this, Thrasybulus and his soldiers occupied Munichia and defeated the partisans of the Thirty. The party of the city retreated to Athens; and, on the next day, held a meeting in the market-place, deposed the Thirty and elected Ten of the citizens as commissioners with full powers to bring the war to a conclusion. The Ten did nothing of the kind; they sent to Sparta to ask for aid and to borrow funds. Finding that this was resented by those who possessed the franchise, and fearing they might be deposed in consequence, they arrested a citizen of the highest repute and put him to death. They thus strengthened their position, and they were further supported by the Spartan harmost Callibius and his Peloponnesians, and by certain of the Knights. The party of the Peiraeus, however, were soon joined by all the people, and began to get the upper hand in the struggle. Thereupon, the party of the city deposed the Ten, and elected in their place another body of the same number, consisting of men of the highest character, among whom was Rhinon (who was afterwards elected one of the Generals). Under the management of this new body of Ten, and with the aid of Pausanias and ten Commissioners from Sparta, terms of reconciliation were drawn up and the democratic party returned to Athens (c. 38).

The terms were as follows: All who had remained in Athens might reside at Eleusis, while retaining their property and their full rights as citizens (35 § 1). The temple at Eleusis was to be common ground for both parties; but, except at the season of the Mysteries, the settlers at Eleusis were not to enter Athens, or the residents in Athens to visit Eleusis. The settlers at Eleusis were to contribute their share to the federal fund (§ 2). If any one killed or wounded another, trials for homicide were to be held, as of old (§ 5). Lastly, there was to be a general amnesty towards all persons, except the Thirty, the Ten (who immediately succeeded them), the Eleven, and the Ten who had ruled in the Peiraeus; and even these were not to be excluded, if they rendered an account of their office (§ 6).

A prominent part was played at this time by Archinus:— (1) He accelerated the date for the closing of the list of settlers at Eleusis (40 § 1); (2) he successfully resisted the proposal of Thrasybulus to confer the franchise on all who had aided in the restoration of the democracy; and (3) he insisted on the penalty of death being inflicted on one who attempted to violate the amnesty (§ 2). The funds which the Thirty had borrowed from Sparta for their own purposes, were repaid out of the

public treasury (§ 3). A further reconciliation was effected with the settlers at Eleusis in B.C. 401/0 (§ 4).

(12) *The restored and extreme Democracy.* The constitution established in B.C. 403 remained in force until the time when the work was written (B.C. 328—325) with ever-increasing accessions to the power of the people. The people had made itself master of everything, and administered all the affairs of State by means of the decrees of the Assembly and the decisions of the Law-courts. In the latter, no less than in the former, the people ruled supreme. Even the judicial decisions formerly in the hands of the Council were transferred to the people, a course which the writer approves on the ground that small bodies are more liable to corruption than large ones (41 § 2). At first it was decided not to provide pay for attendance at the Assembly; but, as its members were habitually absent, an allowance of one obol a day was introduced by Agyrrhius, to be increased to two obols by Heracleides, and to three by Agyrrhius himself (§ 3).

Part II, which describes the machinery of the 'existing Constitution,' under the general heads of (i) the Franchise (c. 42), (ii) Legislature (43—45), (iii) Administration (46—62), and (iv) Judicature (63 to end), may from one point of view be regarded as entirely concerned with a single subject, being an account of αἱ ἀρχαί, the 'posts of power or service, honour or emolument, for which the Athenian citizen becomes eligible or qualified sooner or later,' when once the franchise is conferred on him. It may be divided into four sections (i) the conditions of the franchise (c. 42); (ii) the exercise of the full franchise in the ἐγκύκλιοι ἀρχαί (cc. 43—62), first the κληρωταί, the Council with sundry other authorities (43—54), and the Archons (55—59). From these may be detached (iii) the χειροτονηταί ἀρχαί, or ἀρχαί πρὸς πόλεμον (61), and (iv) the Dikasteria (63 to end), placed here because they are permanent and not concerned with administration (ἡ διοίκησις), although recruited by the Lot (Mr Macan, *J. H. S.*, xii 21). Or, again, we may for convenience use ἀρχαί in the narrower sense, and divide the second part into three main portions under the head of (i) πολιτεία (c. 42); (ii) ἀρχαί (cc. 42—62); (iii) δικαστήρια (cc. 62 to end).

In (i) we have first an account of the method of enrolling citizens, with interesting details as to the military training of youthful citizens between the ages of 18 and 20 (c. 42). In (ii) the foremost place is occupied by the administrative functions of the Council and of the officials who act in concert with it (43—49); while the ἐκκλησία is only briefly dealt with in connexion with the πρυτάνεις and πρόεδροι in c. 43 and c. 44. Then follow certain other officials appointed by lot, with some account of the public Arbitrators (50—54), and the nine Archons (55—59), with a detailed statement of the duties of the Archon (56), the Basileus (57), the Polemarch (58) and the Thesmothetae (59) respectively. Next come the ἀθλοθέται, with some notice of the Sacred Olives (60). Thus far for officials appointed by lot. Next in order we have the military officers (61), who have already been briefly mentioned with other officials elected by show of hands (43 § 1). This portion of the work closes with a chapter on Salaries (62). The remainder is entirely concerned with the Law-courts, and, in particular, with the way by which the dicasts were allotted to the several courts, the method of voting, the

measurement of time during the proceedings, and lastly the arrangements for paying the dicasts when their duties were over.

A large amount of the contents of the Second Part was already known to us in a fragmentary way, through the quotations preserved by grammarians and lexicographers; but it is a signal advantage to have before us the source of all these quotations with the opportunity of testing every statement by the light of its immediate context. We are thus at last able to deal with a first-hand authority for the Constitutional Antiquities of Athens. Whatever hesitation there may necessarily be as to the historic value of certain details in the First Part of the treatise, especially in cases where the writer is describing the institutions of a distant past, which had left behind it no contemporary records except a single chapter from the code of Dracon, with the laws and poems of Solon; or where his account refuses to be reconciled with that of writers such as Thucydides and Xenophon; there can be no question as to the great importance and the completely trustworthy character of the Second Part, with its terse and clear description of the machinery of the State towards the close of the third quarter of the fourth century B.C. And the value of all this is unimpaired by any doubts that have been entertained as to the authorship of the work.

§ 10. *Conspectus of the Literature of the Ἀθηναίων πολιτεία.*

(The order in each division is mainly chronological except in B III and IV, where it is alphabetical.)

(A) *Published before the discovery of the Papyrus in the British Museum.*

- (1) Aristotelis rerum publicarum reliquias collegit **C. F. Neumann**. Heidelberg, 1827.
- (2) Heraclidis politiarum quae extant recensuit **F. G. Schneidewin**. Göttingen, 1847.
- (3) Fragmenta historicorum Graecorum collegit **C. Müller**; vol. II pp. 102—107; Heraclides, *ib.* 208—224; Paris (Didot), 1848.
- (4) **Valentini Rose** Aristoteles Pseudepigraphus, Leipzig, 1863, [quoted in this book as Rose, *A. P.*].
- (5) Die verlorenen Schriften des Aristoteles, von **Emil Heitz**, Leipzig (Teubner), 1865.
- (6) Fragmenta Aristotelis collegit disposuit illustravit **Aemilius Heitz**, Paris (Didot), Nov. 1868.
- (7) Aristotelis Opera; edidit Academia Regia Borussica. vol. V Aristotelis qui ferebantur librorum *Fragmenta* collegit **Valentinus Rose**, pp. 1535—1571 [quoted as Rose, 343² to 568²],—Index Aristotelicus, Bonitz. Berlin (Reimer), 1870.
- (8) **W. Oncken**, *Die Staatslehre der Ar. in historisch-politischen Umrisen*, vol. 2, esp. pp. 410—528 (Engelmann) Leipzig, 1875.
- (9) Aristotelis qui ferebantur librorum *Fragmenta* collegit **Valentinus Rose**, pp. 258—386 [quoted as Rose, 381³ to 611³], Leipzig (Teubner), 1886.

On the Berlin Fragments.

(10) **F. Blass**, *Hermes*, 1880, xv 366. (11) **Th. Bergk**, *Rheinisches Museum*, 1881, xxxvii p. 87. (12) **H. Landwehr**, (a) *de papyro Berolinensi*, no. 163, Berlin, 1883; (b) *papyrus Berol. commentario adiuncto edidit*, Gotha, 1883; and (c) in *Philologus* Suppl. v 100—196. (13) **H. Diels**, *Abhandlungen der Berliner Akademie*, mit 2 Tafeln, Mai 1885, ii pp. 1—57.

(B) *Published after the discovery of the Papyrus.*

(I) EDITIONS.

(1) Aristotle On the Constitution of Athens, edited by **F. G. Kenyon**, M.A., Fellow of Magdalen College, Oxford; Assistant in the Department of MSS, British Museum. Printed by Order of the Trustees of the Museum (Preface dated 31 Dec. 1890), 1st ed. Jan. 30, 1891; 2nd ed. Feb.; 3rd and revised ed. 25 Jan. 1892.

Preliminary notice of discovery in the *Times*, 19 Jan. (reprinted in *Classical Review*, v 70); Reviews of 1st or 2nd ed.:—in *Times*, 30 Jan. '91; *Athenaeum*, 4 April, p. 434—6; *Saturday Review*, 21 March, p. 358; *Edinburgh Rev.*, April, p. 470—494; *Revue de l'Instruction Publique en Belgique*, pp. 133—9; and elsewhere: also in signed (or acknowledged) articles by Mr Macan, Mr F. T. Richards, Prof. Tyrrell, Prof. Gildersleeve and Prof. J. H. Wright; M. Dareste, M. Haussoullier and M. Weil; Prof. Blass, Prof. Diels, Prof. Bruno Keil, P. Meyer, and G. J. Schneider (see under their respective names in B III). Review of 3rd ed. in *Academy*, 8 June '92. Descriptive article (signed K) in *Review of Reviews*, 14 Feb. '91, with reduced facsimile of col. 29 and 30.

(2) Aristotle on the Constitution of Athens. Autotype Facsimile ed. 22 Plates, 20 x 15 inches. Folio; ed. 1, March, '91; ed. 2 in the same year.

Reviews in *Times*, 4 March, '91; *Athenaeum*, 4 April, p. 434—436, and elsewhere.

(3) 'Αθηναίων πολιτεία ἐκδιδομένη ἐπὶ τῇ βάσει τῆς δευτέρας ἀγγλικῆς τοῦ Κ. Κέρνον ἐκδόσεως. **A. Ἀγαθόνικος**. (Barth and Christ) Athens; 1891.

(4) Aristotele, la Costituzione degli Ateniesi, testo greco, versione italiana, introduzione e note di **C. Ferrini**. (Hoepli) Milan [rev. in *Athenaeum*, 5 Sept. '91, p. 317].

(5) Aristotelis Πολιτεία Ἀθηναίων, ediderunt **G. Kaibel** et **U. de Wilamowitz-Moellendorf**, '91. ed. 1, July; ed. 2, September (Weidmann) Berlin [reviewed in *Berl. Philol. Wochenschr.*, 1892, p. 453 (F. Cauer); *Neue Philol. Rundschau*, '92, p. 210 (P. Meyer); *Lit. Centralblatt*, '92, n. 2, p. 56; *Revue des études grecques* iv 405 (Weil); *Deutsche Literaturzeitung*, '91, p. 1639 (Gomperz); and elsewhere].

(6) Aristotelis quae fertur Ἀθηναίων πολιτεία. Post Kenyonem recensuerunt **H. van Herwerden** et **J. van Leeuwen**; accedunt MSTI Apographum, Observationes Palaeographicae cum Tabulis iv, Indices Locupletissimi; (Sijthoff) Leyden, '91 [reviewed in *Berl. Philol. Wochenschr.*, 1892, pp. 613, 649; *Class. Rev.* vi 20—24; *Neue Philol. Rundschau*, '92, p. 210 (P. Meyer); and elsewhere].

(7) Aristotelis Πολιτεία Ἀθηναίων, edidit **F. Blass** (Teubner) Leipzig, Jan. 1892 [reviewed in *Wochenschr. f. klass. Philol.* no. 38; and elsewhere].

(8) a school-edition of c. 1—41, by **Karl Hude** of Copenhagen (Teubner, Leipzig, Dec. 1892).

Editions have also been promised by

(9) **H. Diels** (Berlin); (10) **B. Haussoullier** (Paris).

(II) TRANSLATIONS.

English. (1) with Introduction and Notes (and Facsimile of first eleven lines of col. 10) by **F. G. Kenyon**, M.A. (Bell) London, July, 1891. (2) **E. Poste**, M.A., Fellow of Oriel Coll., Oxford; (Macmillan) London, July, '91; ed. 2, Dec. '92. (3) **T. J. Dymes**, B.A., late Scholar of Lincoln Coll., Oxford; (Seeley) London, 1891.

German. (4) **G. Kaibel** u. **A. Kiessling**, two editions in 1891; (Trübner) Strassburg. (5) **F. Poland** (Langenscheidt) Berlin, '91. (6) **M. Erdmann** (Neumann) Leipzig, 1892. (7) **H. Hagen** see in III (31).

French. (8) **Th. Reinach** (Hachette) Paris; (9) **B. Haussoullier** (Bouillon) Paris, Nov. 1891.

Italian. (10) **C. Ferrini** (Hoepli) Milan; (11) **C. O. Zuretti** (Loescher) Turin.

Russian. (12) **Belajew**, Kasan; (13) anonymous translation in *Journ. d. kais. russ. Ministeriums d. Volksaufklärung*, Jul.—Aug. '91.

Polish. (14) **L. Cwiklinski**, Krakau, Nov. '92.

(Several of the above Translations are reviewed in the *Athenaeum*, 5 Sept. '91, p. 316, and by Mr F. T. Richards in the *Academy*, 15 Aug., '91, p. 137.)

(III) SIGNED (OR ACKNOWLEDGED) CONTRIBUTIONS TO PERIODICAL PUBLICATIONS &c.

(ems. = emendations)

- (1) **Adam, J.**, On Solon in c. 12 § 5 *πρὶν ἀνταράξας πῖαρ ἐξεῖλεν γάλα*. *Academy*, 14 March, '91, p. 259. (2) **Allen, F. D.**, Prof. Wright's paper in 1888, on the date of Cylon; *The Nation*, 5 March, '91, p. 197. (3) **Bauer, A.**, (a) Vortrag in Graz, 18 Feb.; *Wissenschaftliche Rundschau der Münchner Neuesten Nachrichten*, no. 97, 103, 109. (b) *Preussische Jahrbücher*, vol. 68, part 1. See also IV (1). (4) **Bernardakis, G.**, 'Ἐπιστολὴ περὶ τῆς πολ. Ἀθ. τοῦ Ἀρ., ἀνατύπωσις τῆς Ἐφημερίδος, Athens, '91. (5) **Benn, A. W.**, On c. 25, *Academy*, 14 March, '91, p. 259. (6) **Blass, F.**, Review in *Litterarische Centralblatt*, 28 Feb. 301—4 (with numerous emendations, reprinted in *Class. Rev.* v 175). See also ed. in I (7). (7) **Brieger, A.**, die Verfassungsgeschichte von Athen, nach Aristoteles' neu angefundener Schrift, *Unsere Zeit*, ii 18—36, '91. (8) **Brooks, E. H.**, ems. in *Class. Rev.* v 182. (9) **Burnet, J.**, ems. in *Class. Rev.* v 107, 117. (10) **Bury, J. B.**, ems. in *Academy*, 7 March, '91, p. 234; *Athenaeum*, p. 344; (= *Class. Rev.* v 175). (11) **Busolt, G.**, 'zur Gesetzgebung Drakons,' *Philologus*, vol. 50, pp. 393—400. (12) **Butcher, S. H.**, c. 13, 21, *Class. Rev.* v 178. (13) **Bywater, I.**, ems. in *Academy*, 14 Feb. '91, p. 163—4 (= *Class. Rev.* v 105—). (14) **Campbell, Lewis**, ems. in *Class. Rev.* v 105—, 119. (15) **Chinnock, E. J.**, 'Rare Words,' *Class. Rev.* v 229. (16) **Cholodniak, J.**, General article in *Journal d. k. Russ. Min. der Volksaufklärung*, May '91, p. 58—70 (in Russian). (17) **Comparetti, D.**, *Nuova Antologia*, xxvi 3, vol. 34, fasc. 13. (18) **Cox, Rev. Sir G. W.**, 'Aristotle as an Historian,' *Academy*, July—Aug. '92, pp. 52, 111, 152, 171. (19) **Crusius, O.**, 'die Schrift vom Staate der Athener, und Aristoteles über die Demokratie,' *Philologus*, vol. 50, pp. 173—8. (20) **Curtius, E.**, *Berl. Arch. Gesellschaft* (Berl. Philol. Wochenschrift, '91, p. 27). (21) **Dareste, R.**, (a) *Séances et travaux de l'Acad. des Sciences Morales et Politiques*, '91, p. 341—364 (abstract of Part ii); (b) *Journal des Savants*, May, '91, p. 257—273. (22) **De-Sanctis, G.**, 'Studi sull' Ἀθ. πολ.,' *Rivista di filologia*, vol. xx p. 147—163. (23) **Diels, H.**, (a) *Deutsche Literaturzeitung*, '91, no. 7, p. 239—242; no. 24, p. 878; (b) *Archiv f. Geschichte der Philosophie*, iv 478; (c) On Epimenides, *Sitzungsberichte der Berliner Akademie*, '91, p. 387. (24) **Ellis, Robinson**, ems. in *Class. Rev.* v 181—2. (25) **Fraenkel, M.**, (a) *Zeitschrift f. Geschichtswissenschaft*, '91, p. 164—7; (b) *Rh. Mus.* xlvii 473. (26) **Gennadios, A.**, Ἀκρόπολις, Athens, 18 March—2 April (*Class. Rev.* v 274). (27) **Gertz, M. C.**, (a) *Filologiske Tidsskrift*, '91, p. 252—5; (b) *Jahrb. f. Philologie*, '91, p. 192. (28) **Gildersleeve, B.**, Rev. in *American Journal of Philology*, xii 97, cf. *ib.* i 458, iv 92, on Solon in c. 12 § 5, *πρὶν ἀνταράξας*. (29) **Giles, P.**, *English Historical Review*, April, '92. (30) **Gomperz, Th.**, (a) 'Aristoteles u. seine neuentdeckte Schrift,'

- Deutsche Rundschau*, xvii 219, May, '91; (b) 'Ueber das neuentdeckte Werk des Ar., U. die Verdächtiger seiner Echtheit,' *Anzeiger der Wiener Akademie*, no. xi (3) [both printed separately]; (c) *Deutsche Literaturzeitung*, '91, no. 24, p. 877; no. 45, p. 1639. See also IV (5). (31) **Hagen, H.**, trans. in *Schweizerische Rundschau*, '91, no. 4—6. (32) **Harberton, Lord**, On c. 35 § 1, *Class. Rev.* vi 123. (33) **Hardie, W. R.**, 'The *διαγρῆται*' (c. 53), *Class. Rev.* v 164. (34) **Hartman, J. J.**, general descriptive article in *De Nederlandsche Spectator*, 14 March, '91. (35) **Haskins, C. E.**, em. (20, 5) *Class. Rev.* v 111 b. (36) **Haussoullier, B.**, (a) *Revue des Études Grecques*, no. 12 (belated no. for Dec. 1890), p. 475; (b) *Revue Critique*, '91, no. 10, p. 181—6; '92, no. 10, p. 179—183; (c) *Acad. des Inscr. et Belles Lettres*, '91, Feb. 13 and 20; (d) *Revue de Philologie*, xv 2, p. 98 f. (37) **Havell, H. L.**, 'The Great Discovery,' *Macmillan's Mag.*, March, '91, p. 392—400. (38) **Headlam, J. W.**, (a) 'The Constitution of Draco' (c. 4), *Class. Rev.* v 166—9; (b) 'On the use of the *hiatus* in the *ἱστορία*,' *ib.* 270—2; (c) 'Notes on Early Athenian History (i) The Council: *ἐφέται* and *ναύκρατοι*,' *ib.* vi 249—253, and (ii) 'The Council,' *ib.* 293—8. See also IV (8). (39) **Herwerden, H. van**, (a) *Berl. Philol. Wochenschrift*, '91, pp. 322, 418. 610; (b) *Mnemosyne*, '91, p. 168. See also ed. in I (6). (40) **Hicks, R. D.**, ems. *Camb. Philol. Soc. Proc.*, 12 Feb. '91, p. 10; *Class. Rev.* v 111 a, 116 b. (41) **Hill, G. F.**, c. 25, *Class. Rev.* v 169; 176. (42) **Holzinger**, 'Aristoteles' athenische Politie und die Heraklidischen Excerpte,' *Philologus*, vol. 50, p. 436—446. (43) **Houseman, A. E.**, em. in *Class. Rev.* v 110 a. (44) **Houtsma, E. O.**, *Berl. Philol. Wochenschr.*, 27 Jun. '91, p. 801. (45) **Hude, C.**, 'Coniecturae Aristotelicae,' *Philologiske Tidsskrift*, '91, p. 248—251. (46) **Hultsch, F.**, 'Das Pheidonische Masssystem,' *Fahrh. für Philol.*, '91, p. 262—4. (47) **Immisch, O.**, On c. 41, *Berl. Philol. Wochenschr.*, '91, p. 707. (48) **Jackson, H.**, ems. in *Camb. Philol. Soc. Proc.*, 12 Feb. '91; *Class. Rev.* v 105—, 122. (49) **Kaibel, G.**, article in *Nord und Süd*, Apr. '91, p. 80—92; cf. I (5). (50) **Kell, Bruno**, (a) rev. of Mr Kenyon's ed. in *Berl. Philol. Wochenschr.*, '91, 25 April—16 May; also separately printed, pp. 56; (b) rev. of van Herwerden and van Leeuwen's ed., *ib.* '92, pp. 613, 649. Cf. IV (10). (51) **Kenyon, F. G.**, (a) 'New Readings,' *Class. Rev.* v 269—; (b) 'Recent Literature,' *ib.* 332. See also edd. in I (1). (52) **Kontos, K. S.**, (a) *Le Spectateur* (Athens), 13 Apr. '91; (b) *Ἀθηνᾶ*, iii 289—400; (c) *Στάδ.*, i 44. (53) **Lacon, B.**, 'Ἡμέρα (Athens). (54) **Lean, W. S.**, *Academy*, 7 March, '91, p. 234. (55) **Leeuwen, J. van**, (a) *Mnemosyne*, xix 2, April, '91, reprinted in *Class. Rev.* v 224; (b) *Verslagen en Mededeelingen der Kon. Acad. v. Wett. afd. Letterkunde*, 1891 (May), p. 154—176. See also ed. in I (6). (56) **Lipsius, J. H.**, *Verhandlungen d. k. Sächs. Gesellschaft d. Wissenschaften*, '91, p. 41—69 (also printed separately). (57) **Macan, R. W.**, (a) Review of Mr Kenyon's first ed. in *Oxford Magazine*, 4 Feb. '91; (b) *Journal of Hellenic Studies*, April, xii 17—40 (on the historical aspect of the 'Aθ. πολ., 11 March, '91). (58) **Maehly, G.**, Review in *Rivista di Filologia*, '91, p. 551—7. (59) **Marchant, E. C.**, (a) 'The Deposition of Pericles' (c. 44), *Class. Rev.* v 165—6; (b) Emendations, *ib.* v 105—. (60) **Marindin, G. E.**, *Class. Rev.* v 176, 177, 181. (61) **Mayor, John E. B.**, (a) ems. &c. in *Camb. Univ. Reporter*, 3 March, '91, p. 607; *Class. Rev.* v p. 105—; (b) references on subject-matter, *ib.* 120—2; also in *Proceedings of the Camb. Philological Society*, 17 and 26 Feb. '91, pp. 10—15. (62) **Mayor, Joseph B.**, (a) on c. 7 § 4, and c. 17 § 4, *Academy*, 28 March, '91, p. 304; (b) 'Unaristotelian words and phrases,' *Class. Rev.* v 122—185; (3) em. *ib.* 175. (63) **Murray, A. S.**, on c. 7 § 4, *Class. Rev.* v 108. (64) **Newman, W. L.**, (a) Review of Mr Kenyon's ed. in *Class. Rev.* v 155—164; (b) em. *ib.* 105—. (65) **Nicklin, T.**, ems. in *Class. Rev.* v 227, 228. (66) **Niemeyer, K.**, *Fahrh. für Philol.* '91, p. 405—

415. (67) **Oman, C. W.**, paper read at meeting of Historical Society, 19 Nov. '91 (*Academy*, 28 Nov., p. 483). (68) **Pais, E.**, *Rivista di Filologia*, xix 557—569. (69) **Pantazidis**, φιλολογικὸν παράρτημα τῆς Ἑστίας, 1891. (70) **Papabasilieios**, Ἀθηνᾶ, ii 278—288. (71) **Paton, W. R.**, (a) *Athenaeum*, 21 Feb. '91, p. 251, and *Class. Rev.* v 105—, 175—, 225; (b) 'The Attic Phratries,' *ib.* 221. (72) **Platt, A.**, ems. in *Class. Rev.* v 109, 175—, 185. (73) **Poland, F.**, *Jahrb. für Philol.* '91, p. 259—262. (74) **Radinger, C.**, *Philologus*, vol. 50, pp. 229, 400, 468. (75) **Reinach, Th.**, (a) 'Trois Passages du livre d'A. &c.' (on cc. 4, 8, 25) *Académie des Inscr. &c.*, 5 June, '91; *Revue Critique*, n. 24; (b) 'La Constitution de Dracon et la Constitution de l'an 411,' *Revue des Études Grecques*, '91, p. 82; (c) 'Aristote ou Critias?', *ib.* 143—158. (76) **Richards, F. T.**, (a) Rev. of Mr Kenyon's ed. in *Academy*, 14 Feb. '91, p. 165—7; (b) Rev. of Bauer's *Forschungen* and of Mr Kenyon's and Mr Poste's Translations, *ib.* 15 Aug. '91, p. 137—8; (c) Letter, *ib.* 13 Aug. '92, p. 133, mainly on discrepancies between *Politics* and Ἀθ. πολ. (77) **Richards, Herbert** [quoted in critical notes by surname only], (a) ems. in *Academy*, 14 Feb. '91, p. 163—4; and 18 Apr. p. 371; (b) ems. in *Class. Rev.* v 105—, 122, 175, 224, 334; (c) 'Unaristotelian words and phrases,' *ib.* 184, 272. (78) **Ridgeway, W.**, *Academy*, 21 Feb. '91, p. 186—7 (*Class. Rev.* v 109). See also *Origin of Metallic Currency and Weight Standards*, pp. 306, 324. (79) **Ruehl, F.**, (a) *Rhein. Mus.*, '91, p. 426—464; (b) *Wochenschr. für klass. Philol.*, '92, no. 1; cf. (128). (80) **Rutherford, G.**, (a) 'The New Aristotle Papyrus in its bearings on Textual Criticism,' *Class. Rev.* v 89—91; (b) ems. *ib.* 105—, 175. (81) **Saint-Hilaire, B.**, *Revue Élevée*, 21 March, '91. (82) **Sandys, J. E.**, (a) ems. in *Academy*, 7 Feb. '91, p. 137 (*Class. Rev.* v 105—); (b) ems. &c. *Camb. Phil. Soc. Proc.*, 26 Feb. '91, p. 14 (with additions in *Class. Rev.* v 119—120). (83) **Schneider, G. J.**, Review of Mr Kenyon's ed. in *Wochenschr. für klass. Philol.*, 29 Apr.—20 May, '91, pp. 371, 498, 528, 544. (84) **Schoell, R.**, *Münchener Allgemeine Zeitung*, Beilage, no. 106—109; Sonderabdruck der 41 Philol.-Versammlung in München, Mai '91 (J. G. Cotta) Munich. (85) **Schvarcz, J.**, *Ungarische Revue*, Apr. '91. See also IV (12). (86) **Sidgwick, A.**, ems. in *Class. Rev.* v 105—. (87) **Stewart, J. A.**, em. in *Academy*, 7 March, '91, p. 234 (*Class. Rev.* v 179). (88) **Smith, Cecil**, Ostracism of Xanthippus, *Class. Rev.* v 277. (89) **Smith, J. A.**, em. in *Academy*, 14 Feb. (*Class. Rev.* v 118). (90) **Szanto, E.**, *Wochenschr. für klass. Philol.*, '91, p. 761. (91) **Thompson, E. S.**, (a) em. in *Class. Rev.* v 223, 224—; 277; (b) The Draconian Constitution, *ib.* 336; (c) Date of the Expulsion of the Pisistratids, *ib.* vi 181; (d) Age of the διατηρητά, *ib.* 182. (92) **Torr, Cecil**, (a) on the date, *Athenaeum*, 7 Feb. (*Class. Rev.* v 119 note); (b) on 51 § 4, *Class. Rev.* v 117; (c) on the στρατηγοί in c. 61, *ib.* p. 119; (d) on c. 54, the Delian festival, *ib.* 277. (93) **Tyrrell, R. Y.**, (a) ems. in *Academy*, 28 Feb. '91, p. 210; 7 March, p. 234 (*Class. Rev.* v 175—); (b) 'The New Papyri,' *Quarterly Review*, April, '91, p. 320—350. (94) **Vanderkindere**, *Revue Belgique*, March, '91. (95) **Wachsmuth, C.**, 'zur Topographie von Athen,' *Rheinisches Museum*, '91, Heft 2. (96) **Walker, E. M.**, Chronology of 462—445 B.C., *Class. Rev.* vi 95. (97) **Wardale, J. R.**, *Class. Rev.* v 273. (98) **Weil, H.**, *Journal des Savants*, April, '91, p. 197. (99) **Whibley, L.**, (a) on cc. 22, 23, 28, *Class. Rev.* v 168—9; (b) em. *ib.* 180; (c) on the Authorship, *ib.* 223. (100) **Wright, J. H.**, (a) Review of Mr Kenyon's ed. in *The Nation*, 7 May, '91; (b) 'Did Philochorus quote the Ἀθ. πολ. as Aristotle's?', *American Journal of Philology*, xii 3, 310—318. (c) 'The Date of Cylon,' A Study in early Athenian history, *Harvard Studies in Classical Philology*, iii 1892. Also reprinted, pp. 80 (Ginn and Co.) Boston. (101) **Wyse, W.**, (a) ems. in *Camb. Phil. Soc. Proc.* for Feb. 12, '91; also in *Athenaeum*, Feb. 14

and 21, and *Academy*, 21 Feb. p. 186 (*Class. Rev.* v 105—); (b) *ems.* in *Class. Rev.* v 225—; (c) notes, *ib.* 122, 224, 274—6, 335—6; (d) on *ποδαπέδων*, 16 § 2, *ib.* vi 254—7.

Many of the following articles appeared at a later date than the above:—

- (102) **Bérard, J.**, *Aristote, La Constitution d'Athènes*, (Extrait) Paris. (103) **Betge**, popular article in *Gegenwart*, '91, no. 29. (104) **Buseskul**, (a) on cc. 4 and 25, *Journ. d. Min. der Volksaufkl.*; noticed in *Berl. Phil. Woch.*, 8 Oct. '92, p. 1289; (b) in *Russ. hist. Rundschau*, ii 221—239 (both in Russian). (105) **Cauer, Paul**, *Aristoteles Urteil über die Demokratie*, *Fleckeisen's Jahrb.* '92, p. 581—593. (106) **Cavazza, P.**, *Discorso* in *Annuario dell' Istituto di studi superiori in Firenze*, pp. 20, '92. (107) **Derewizki, A.**, (in Russian) Charkow, '91. (108) **Dimitsas, M. G.**, 'Ελλάς, iii 4 p. 357—379. (109) **Duemmler, F.**, *Die 'Aθ. πολι. des Kritias*, in *Hermes*, '92, p. 260—280. (110) **Ferrini, C.**, *Rendiconto dell' Ist. lombardo*, ser. ii, vol. xxiv, fasc. 8—9. (111) **Fontana, G.**, *On Aristides* in 'Aθ. πολι., pp. 26, (Tedeschi) Verona. (112) **Fraccaroli, G.**, *due versi di Solone* (c. 12, 28), in *Rivista di Filologia*, xxi, p. 49—50. (113) **Goodell, T. W.**, 'Ar. on the Athenian Arbitrators' in *Amer. Journ. of Philology*, xii 319—326. (114) **Grunzel, J.**, (Friedrich) Leipzig. (115) **Hertz, M. C.**, On c. 38, *Jahrb. f. Philol.*, '91, p. 192. (116) **Hude, K.**, On the murder of Hipparchus (where Ar. differs from Thuc. he is probably following Androtion), *Jahrb. f. Philol.*, '92, p. 171—6. (117) **Knoke, F.**, popular article in *Grenzboten*, '91, no. 43—44. (118) **Köhler, U.**, (A) On Heracleides of Clazomenae, *Hermes*, '92, p. 68 f. (B) *Die Zeiten der Herrschaft des Peisistratos; Sitzungsberichte* of the Berlin Academy, 7 April, '92, pp. 339—343; a not entirely accurate abstract in *Berl. Phil. Woch.*, 13 Aug. p. 1053—6. [(a) The account of Peisistratus in cc. 14, 15 is primarily derived from Hdt. i 59—64, combined (but not harmonised) with other sources of information. The second exile lasted 10 years; the first *τυραννίς* 5; and the first exile and the second and third *τυραννίς*, 6 years each. This result was probably obtained by deducting the 10 years of the second exile from the 33 years of c. 17, and dividing the remainder (23) into four approximately equal parts, thus making the *τυραννίς* last for 17 years in all, and the exile for 16 years. The 19 years of *τυραννίς* in c. 17 § 1, which are inconsistent with this, are obtained (as already suggested on p. 76 a) by deducting the 17 years of the rule of the Peisistratidae (c. 19 ult.) from the 36 years assigned by Hdt. to the rule of Peisistratus and his sons. (The connexion of Peisistratus with Rhaecelus explains the offer of Amyntas I to allow Hippias to settle at the neighbouring town of Anthemús, Hdt. v 94.) (b) The author's method of combining different sources of information is further illustrated by comparing his account of Cleisthenes (c. 20—21) with that of Hdt. (The beginning of the *στάσις* is placed by Köhler before 508/7, and the reforms of Cleisthenes in 507/6.) (c) In the figures given in c. 24 the main stress is laid on the total, 20,000 (cf. Arist. *Vesp.* 706—8), not on the details; it is an exaggeration to put the number of the ἀρχαὶ ἐνθῆμοι and ὑπερόπιοι at 700 each; and the estimate of 2500 hoplites and 20 guardships properly belongs to the time of the battle of Tanagra. A body as numerous as the 2,000 φρουροὶ must have held office for more than a year. (d) c. 25 describes the censorial powers of the Areopagus as ἐπιθετα, whereas, in cc. 3, 4, 8, these powers are described as having belonged to it from the earliest times. Hence we may infer that c. 25 is founded on a different account of the historical development of the powers of the Areopagus to that followed in the previous chapters. Further, it is more probable that Ephialtes, in his attack on the Areopagus, cooperated with Pericles than with Themistocles. The story about the latter in c. 25 is a läppische, chronologische unmögliche Erzählung, probably borrowed from some such writer as Stesimbrotus.]

- (119) **Kurze, F.**, *Westermann's Monatshefte*, Nov. '91, p. 281—4. (120) **Mahaffy, J. P.**, *obiter dicta in Problems in Greek History*, pp. 84, 87, 89, 96, 122, 128. (121) **Melber, J.**, *Aristoteles' Αθηναίων πολιτεία u. die bisher darüber erschienene Literatur in Blätter für das bayerische Gymnasialwesen* xxviii 1, p. 29—44 (*Class. Rev.* vi 375). (122) **Meyer, P.**, (a) *der neue Ar. u. die Schule*, in *Gymnasium*, '92, no. 2—3; (b) *Reviews in Zeitschr. f. d. Gymnasialwesen*, XLVI 144—155. (123) **Müller, H. C.**, in *Ελλάς* iv, pp. 76 ff, and **Kenyon**, *ibid.* 137, Leyden, '92. (124) **Munro, J. A. R.**, 'The Chronology of Themistocles' career,' *Class. Rev.* vi 333 f. (125) **Nissen, H.**, *die Staatschriften des Ar.* in *Rhein. Mus.* '92, vol. 47, pp. 161—206 (holds that the *Πολιτεία* were intended to lead up to the publication of a code for the dominions of Alexander, and also to serve as a series of hand-books for the use of Macedonian diplomatists. The article is ably criticised by Bruno Keil, *die Solonische Verfassung*, p. 127—150). (126) **Piccolomini, Aeneas**, *In Aristot. et Herodam animadv. criticae*, in *Rivista di filologia*, xx p. 456—264, Turin, 1892. (127) **Postgate, J. P.**, *em. ἡλάσατε for ἀάσατε*, in c. 5, 16 (*Class. Rev.* v 109). (128) **Ruehl, F.**, *Der Staat der Athener und kein Ende*, in *Jahrb. f. class. Philol. Suppl. Bd.*, 18, pp. 675—706; also reprinted (Teubner) Leipzig. [Rev. in *Neue Philol. Rundschau*, '92, no. 15, p. 229 (P. Meyer); *Woch. f. kl. Philol.* '92, no. 35, p. 949 (G. J. Schneider); *Berl. Phil. Woch.* 15 Oct. p. 1317 (Schöffner). 'Fassen wir des Ergebniss meines ersten Aufsatzes (79) und das der vorstehenden weiteren Ausführungen zusammen, so ergibt sich die neue Schrift als ein Werk, das sich sehr nahe an die aristotelische 'Αθ. πολ. anschloss, stellenweise fast oder ganz wörtlich, das ihr manche feine, echt aristotelische Wendung verdankte, das sie aber einerseits an vielen Stellen zusammenzog, anderseits dagegen auch erweiterte und möglicherweise auch einzelne Partien durch andere ersetzte' (p. 700). He holds that the editor of the work was 'Herakleides Lembos' (p. 701 f.).] (129) **Schöffner, Val. von**, (a) On the date of the 'Αθ. πολ. in *Introductio to Bürgerschaft u. Volksversammlung zu Athen*, I, Moscow, '91 (in Russian), *Berl. Phil. Woch.* 8 Oct. '92, p. 1290; (b) *Reviews in Berl. Phil. Woch.* 8 and 15 Oct. '92. (130) **Schultz, H.**, *Russ. Phil. Rundschau*, ii p. 33—44 (in Russian). (131) **Stern, E. v.**, *die neuentdeckte 'Αθ. πολ. des Ar.* pp. 42 (Abdruck aus B. II der *Annal. der hist.-phil. Ges.*), in Russian, Odessa, '92; [attacks the views of Schwarcz, Rühl and Cauer, *Berl. Phil. Woch.* 8 Oct. '92, p. 1291]. (132) **Szanto, E.**, *zur drakonischen Gesetzgebung*, in *Arch.-epigr. Mittheilungen aus Oesterreich*, xv 2, p. 180—2. (133) **Tacchi-Venturi**, *Civiltà Cattolica*, xii no. 995—6. (134) **Zielinski, Th.**, on c. 4, in *Russ. Phil. Rundschau*, i 2, p. 125 f. (in Russian). (135) **Zingerle, A.**, *Zeitschrift f. d. Oesterr. Gymn.* xliii 207 f.

(IV) SEPARATE WORKS.

- (1) **Bauer, A.**, *Litterarische u. historische Forschungen zu Aristoteles' 'Αθ. πολ.* (C. H. Beck) Munich, pp. 190, May '91. (Rev. in *Athenaeum*, 5 Sept. '91, p. 317; *Academy*, 15 Aug. '91, p. 137; *Berl. Phil. Woch.* 15 Oct. '92, p. 1321, Schöffner; and elsewhere.) [In three parts: (1) On the relations of Ar. to the historical literature of Greece; (2) historical results derived from the 'Αθ. πολ.; (3) Chronological tables, drawn up in accordance with the dates given in the 'Αθ. πολ.]
 (2) **Cassel, Paulus**, *Vom neuen Aristoteles u. seiner Tendenz* (Bibliograph. Bureau) Berlin, '91. (Rev. in *Berl. Phil. Woch.* 15 Oct. '92, p. 1320, Schöffner; and elsewhere.) [An unscholarly pamphlet, describing the ideal of the author of the 'Αθ. πολ. as 'die alte, erbliche, patriarchalische, gewissenhafte, königliche Verfassung.']
 (3) **Cauer, Fr.**, 'Hat Aristoteles die Schrift vom Staate der Athener geschrieben?

ihr Ursprung und ihr Wert für die ältere athenische Geschichte, (Göschel) Stuttgart, pp. 78, '91. (Rev. in *Academy*, 6 June '91, p. 540; *Athenaeum*, 5 Sept. '91, p. 317; *Deutsche Literatur-Zeitung*, p. 878, Diels; *Litt. Centralblatt*, p. 1120; *Wochenschr. f. kl. Phil.* no. 28, Szanto; *Gymn.* p. 567, P. Meyer; *Berl. Phil. Woch.* '92, p. 1288, Schöffer; and elsewhere.) [Argues against the treatise being the work of Aristotle.]

(4) **Droysen, H.**, *Vorläufige Bemerkungen zu Aristoteles' 'Aθ. πολ.*, Oster Programm des königstädt. Gymn. (Gärtner) Berlin, '91. [Mainly chronological.]

(5) **Gomperz, Th.**, *Die Schrift vom Staatswesen der Athener und ihr neuester Beurtheiler*, (Holder) Vienna, '91. [A polemical pamphlet directed mainly against Dr Franz Rühl's article in *Rheinisches Museum*, xlv 426.]

(6) **Hagfors, E.**, *de praepositionum in Ar. Politicis et in 'Aθ. πολ. usu*, Helsingfors Dissertation, pp. 130 (Mayer u. Müller, Berlin, '92). [Rev. in *Woch. f. kl. Philol.* '92, p. 997. The net result of this elaborate statistical investigation is that, in the prepositions, the writer finds nothing in the 'Aθ. πολ. divergent from the usage in the *Politics*. On the other hand, there is little in the use of prepositions in the former that is distinctively characteristic of Aristotle. This is limited to the use of ἐξ ἀρχῆς (for ἐν ἀρχῇ), ἐξ ὑπαρχῆς, and οἱ περὶ τῶα. The conclusion is:—'quantum ex praepositionum usu concludere licet, ille liber ab Aristotele potest esse conscriptus.']

(7) **Hammond, B. E.**, *Greek Constitutions*, (a sketch including fresh details from the 'Aθ. πολ.) pp. 68 (E. Johnson) Cambridge, '91.

(8) **Headlam, J. W.**, Appendix to Historical Essay, *Election by Lot at Athens*, pp. 183—190, (University Press) Cambridge, '91. See also III (38).

(9) **Herzog, E.**, *Zur Litteratur über den Staat der Athener*, pp. 83 (Fues) Tübingen, Nov. '92. (1) On [Xen.] 'Aθ. πολ.; (2) on Ar. 'Aθ. πολ. c. 4.

(10) **Kell, Bruno**, *Die Solonische Verfassung nach Aristoteles*, pp. 248 (Gärtner) Berlin, Nov. '92. [Ar. was engaged in the preparation of the *Politics* from about 350 to 335 B.C. It was apparently after this that he put into shape the materials collected for his Πολιτεία, the redaction of the 'Aθ. πολ. falling between 329 and 325. In its polemical passages and elsewhere, it shows the influence of the 'Aθ. πολ. of Androtion, besides other traces of further research subsequent to the preparation of the *Politics*. It was intended for publication, as is proved by the elaborate style of certain portions, by the attention paid to rhythm at the ends of the sentences, by the avoidance of hiatus, and by other indications of deliberate purpose and methodical plan. The work did not, however, receive the author's finishing touches, and was probably not given to the world until after his death.—The text of chaps. 5—13 is printed with critical notes, followed by a commentary on each chapter, together with many valuable remarks on the work as a whole. Among the restorations of the text here proposed are c. 9, 11 ὅπως π(ε)ρὶ τῆς κρῖσε[ως ὁ δ]ῆ[μος ἦ κ]ύριος, c. 10, 5 παρ' ὁ[λι]γων, c. 11, 10 γενέσθαι τὴν [νέαν] τάξιν, c. 11, 12 ἡ σ[χεδὸν ἀ]παράλλα[κτον].]

(11) **Meyer, Peter**, Des Aristoteles' Politik u. die 'Aθ. πολ., nebst einer Litteratur-Uebersicht, pp. 72 (Cohen) Bonn, '91. (Rev. in *Berl. Phil. Woch.* 8 Oct. '92, p. 1291, Schöffer; and elsewhere.) [Gives some useful parallel passages from the *Politics*; but goes too far in contending that *Politics* ii 12 and c. 4 of 'Aθ. πολ. are both equally authoritative.]

(12) **Schvarcz, Julius**, 'Aristoteles u. die 'Aθ. πολ.,' 1 Abtheilung des Werkes *Die Demokratie*, pp. 25 (Friedrich) Leipzig, '91. [Ascribes the treatise to Demetrius Phalereus.]

(13) **Schjott, P.** *Aristoteles om Athens Statsforfatning*. Christiania, '91, Dybwad. (Rev. by B in *Lit. Centralblatt*, no. 29, p. 1025.)

(14) **Wright, J. H.** *The Date of Cylon*, (Reprint of III (100 c), 1892); noticed

in *Academy*, 11 June, '92, p. 570; *Class. Rev.* vi 457; *Berl. Phil. Woch.* '92, p. 1555; and elsewhere. [Places the attempt of Cylon between 636 and 624 B.C., and the trial and banishment of the Alcmaeonidae, and the visit of Epimenides, in 615.]

The principal books of reference used in preparing the commentary are: (a) the *Corpus Inscriptionum Atticarum*, quoted as CIA; with E. L. Hicks, *Gk. Historical Inscriptions*, and Dittenberger's *Sylloge*; also von Hartel's *Studien über Attisches Staatsrecht u. Urkundenwesen* (1878), and Meisterhans, *Grammatik der Attischen Inschriften*, ed. 2 (1888).

(b) the *Index Aristotelicus* of Bonitz; and the editions (or translations) of the *Politics* by Susemihl, Jowett, Newman and others; also the various editions of the *Fragments*.

(c) the Greek lexicographers, esp. Bekker's *Anecdota*, vol. i; Etymologicum Magnum (Gaisford); Harpocration (Dindorf); Hesychius (Schmidt); Photius (ed. Porson, revised by Dobree, 1822, who printed as Appendix the *Lexicon Rhetoricum Cantabrigiense*; Dobree's transcript of the latter was also published posthumously in 1834); also id. (ed. Naber, 1864—5); Pollux (Bekker); and Suidas (Bernhardy).

(d) in Gk. History:—Herodotus, Thucydides, Xenophon, also C. Müller's *Fragmenta Historicorum Graecorum*, quoted as FHG:—among modern writers, Thirlwall, Grote (ed. 1862 in 8 vols), Curtius (ed. Ward), Duncker, Busolt, Holm, Abbott; also Gilbert's *Beiträge*. In Chronology, Eusebius (ed. Schoene, 1866—75); and the *Marmor Parium* in Müller's FHG; also Clinton's *Fasti*, and Peter's *Zeittafeln*.

(e) in Antiquities and Law: (1) **Boeckh**, *Die Staatshaushaltung der Athener*, ed. 2, 1851, ed. 3 (by Fränkel) 1886; also the translations of ed. 1 by Sir Geo. Cornewall Lewis 1828, 1842; of ed. 2 by Lamb, Boston, U.S., 1857. (2) the new edition of **K. F. Hermann's** *Lehrbuch der Griechischen Antiquitäten*¹. (3) **Meier u. Schoemann**, *der Attische Process*, 1824, ed. Lipsius 1881—6; also **Lipsius**, in *Verhandlungen d. k. Sächs. Gesellschaft d. Wissenschaften*, '91, p. 41—69. (4) **G. F. Schoemann**, *Antiquities of Greece*, vol. i translated by Hardy and Mann, 1880. (5) **Gilbert**, *Griechische Staatsalterthümer*, 1881—5 (new ed., and English trans. of vol. i in preparation). (6) **Busolt**, *Die Griechischen Alterthümer*, 1887 (ed. 2, '92), and **Stengel**, *Sakralalterthümer*, 1890, both in Iwan Müller's *Handbuch*. (7) **A. Mommsen**, *Heortologie*, 1864. (8) **Smith**, *Dict. of Gk. and Roman Antiquities*, ed. Wayte and Marindin (with Appendix on 'Αθ. πολ.). (9) **Daremberg et Saglio**, *Dict. des Antiquités*. (10) **Haussoullier**, *la Vie Municipale en Attique*, 1884; **Hauvette-Besnault**, *les Stratèges Athéniens*, 1885; **A. Martin**, *les Cavaliers Ath.*, 1887; **Dürnbach**, *L'Orateur Lycurgue*, 1890, and other monographs in the same series. (11) **Philippi**, *Beiträge zu einer Geschichte des Attischen Bürgerrechtes* (1870), and *Der Areopag und die Epheten*, 1874. (12) **Fraenkel**, *die attischen Geschworenengerichte*, 1877. (13) **Schulthess**, *Vormundtschaft*, 1886. (14) **U. von Wilamowitz-Moellendorff**, *Aus Kydathen*, in 'Philol. Untersuchungen,' 1880. (15) Dissertations by **Thumser**, *de Civium Atheniensium muneribus*, 1880; **Kornitzer**, *De Scribis Publicis*, 1883; **Haederli**, *Asynomen u. Agoranomen*, 1886; **Panske**, *de Magistratibus Atticis, qui saeculo A. C. quarto pecunias publicas curabant*, i, 1890; and others. (16) Articles in Philological Journals, &c.

¹ Vol. I, Part ii, *Der Athenische Staat und seine Geschichte*, edited by **Thumser**, was published in Nov. 1892, too late to be of use in the present work.

§ 11. *Abbreviations used in the critical notes, &c.*

SIGLARIUM.

Papyri Londinensis lectiones litterae 'unciales' indicant;

[] quae in papyro prius, ut videtur, fuerunt, nunc autem evanuerunt;

< > quae in papyro per errorem omissa, propter sensum addenda sunt;

[] quae in papyro scripta, ut aliena omittenda sunt:

† obelus lectionem corruptam designat;

* asteriscus coniecturas non antea ab editore prolatas.

Editiones.

K¹=Kenyonis ed. prima; K² secunda; K³ tertia;

K-W¹=Kaibel et von Wilamowitz-Moellendorff, ed. prima; K-W², ed. altera;

H-L=van Herwerden et van Leeuwen;

B=Blass.

§ 12. *List of Illustrations.*

In Frontispiece. Fig. 1; Heliastic πνάκιον, from Daremberg and Saglio's *Dict. des Antiquités*, iii 190, fig. 2410; first published by M. Rayet, *Annuaire de l'Association des Études Grecques*, 1878, p. 206. See note on p. 235.

Fig. 2 and 3; two bronze counters, probably used in the allotment of citizens to the several heliastic divisions. On the obverse, four owls and two sprays of olive, encircled with the word ΘΕΣΜΟΘΕΤΩΝ. On the reverse, fig. 2 (from the Berlin Museum) bears the letter E; fig. 3 (published in *Parnassos*, Athens, 1883), the letter A. From Daremberg and Saglio, *l.c.*, fig. 2411, 2412. See note on p. 236 b.

Fig. 4 and 5; heliastic σύμβολα. On the obverse, a copy of the design on a τριώβολον,—an owl surrounded with two sprays of olive, and ΑΘΗ in fig. 4, Θ only in fig. 5. On the other side, a letter, probably denoting one of the heliastic sections. See note on p. 240 b. From Daremberg and Saglio, *l.c.*, fig. 2413, 2414.

Fig. 6 and 7; bronze ψηφοὶ used for voting, found at Athens (*Bull. de Corr. Hellén.* 1887, xi 210). From Daremberg and Saglio, *l.c.*, fig. 2415—6. See note on p. 246.

On p. 39; Aeginetan Didrachmon; Berlin Cabinet, Friedländer u. Sallet, *Beschreibung*, no. 2. From Baumeister's *Denkmäler*, fig. 1010.

Ibid. and *Title-page.* Early Attic Tetradrachmon; Berlin Cabinet, *u.s.*, no. 54. From Baumeister's *Denkmäler*, fig. 1013.

CORRIGENDA.

p. 2 b, l. 17 from end: read 'either as early as 636 or as late as 624.'

p. 7, l. 3: dele asterisk.

p. 133, in critical note on 35, 5: read Περραιῶς K, K-W.

ADDENDA.

Introduction, p. xii. The sketch on pp. ix—xii is perhaps needlessly limited to the literature of the theory of government. A survey of 'political literature', if interpreted in its wider sense, might have included some account of the *de Pace* and the *Areopagiticus* of Isocrates. Of these two political pamphlets the first advises Athens to abandon the Empire of the Sea; the second commends the earlier mode of appointing the officers of State by election (*αἵρεσις*) rather than by lot (*κλήρωσις*), and pleads for the restoration of the censorial power once wielded by the Council of the Areopagus. Both of these works may be ascribed to the year 355 B.C., and both have important points of contact with the 'Αθηναίων πολιτεία, which was written nearly 30 years later. Some of these points are noticed in Bruno Keil's *Solon. Verf.*, pp. 78 ff, 215 &c.

p. 1. The observations of Blass on the *rhythm* of the 'Αθηναίων πολιτεία are perhaps unduly fanciful. In the extreme case quoted in the text the metrical correspondence is possibly due to accident alone. The central clause of the sentence is a quotation, *τούτου βούλεται τις κατηγορεῖν*; and it is difficult to believe that, in the language used immediately before and after this clause, the writer was consciously guided by the metrical value of the successive syllables of the quotation itself. One may also fairly mistrust a theory which leads its exponent to print the trisyllabic Πειραιῶς in c. 35 § 1, while everywhere else he prefers the quadrisyllabic Πειραιέως. A more cautious and sober view is that of Bruno Keil, *l.c.*, p. 36, who observes:— 'die Unfertigkeit des Aristotelischen Buches lässt eine Rhythmik in dem Umfange, wie Blass sie annimmt, m. E. überhaupt gar nicht suchen'. Elsewhere, p. 33, he makes the interesting remark: 'das *Tempo* der Sprache unseres Buches ist im ganzen ein schnelles'.

Commentary, p. 9 (c. 3, 25): *βουλευέων κτλ*] Cf. Bruno Keil, in *Berl. Phil. Woch.* 21 May, 1892, p. 652 f.

p. 14 (c. 4, 6): *ταμίαι*] The earliest inscription in which the *ταμίαι* are mentioned belongs to the first half of the sixth century, CIA iv 373²³⁸, p. 199, *οἱ ταμίαι τάδε χαλκία κτλ*. Cf. *J. H. S.* ix 125.

p. 28 (c. 7, 23): *Διφίλου Ἀνθεμίων*] Bruno Keil, *Solon. Verf.*, p. 67, identifies with this monument a work of art mentioned in CIA, ii 742 A 12 (*Catalogi signorum ex aere factorum*), early in the second half of the 4th century:—*ἀνάθημα Ἀνθεμίων[os....] κυνῆν ἔχει καὶ λό[γ]χην vel λό[φ]ον*. He accordingly infers that the monument may be described as *ἀνάθημα Ἀνθεμίωνος, εἰκὼν Διφίλου*. Köhler describes the age of these *Catalogi* as *ultimis decenniis saeculi quarti non multo antiquior*. But the work of art itself may easily have been very much older, some of the rest in the list having certain portions missing. Cf. Boeckh, ii 311², 279³.

p. 79 f (c. 21, 12): *διένεμε*] Add, Milchhoefer's *Untersuchungen über die Demeinordnung des Kleisthenes*, with Map, Reimer, Berlin, Oct. '92; and Szanto, *Hermes*, '92, p. 312.

p. 134 a (c. 35, 9): *Ἐφιάλτου καὶ Ἀρχεστράτου*] Bruno Keil, *Solon. Verf.*, p. 54, proposes to identify Archestratus with the mover of the last amendment in the decree concerning Chalcis, CIA iv 1, p. 12 n. 27 a, 70, *Ἀρχέστρατος[ς] εἶπε τὰ μὲν ἄλλα καθάπερ [Ἄ]ντικλῆς· τὰς [δὲ] εὐθύνας Χαλκιδεῦ[σι] κατὰ σφῶν αὐτῶν εἶναι ἐν Χαλκίδι καθάπερ Ἀθήρησιν Ἀθηναίοις, πλὴν φυγῆς καὶ θανάτου καὶ ἀτιμίας. περὶ δὲ τούτων ἔφεσιν εἶναι Ἀθήναζε ἐς τὴν ἡλιαίαν τῶν θεσμοθετῶν κατὰ τὸ ψήφισμα τοῦ δήμου*. The spirit of this proposal harmonises with the policy of Ephialtes.

Addenda Notulis Criticis. Bm = Blass, *Mitteilungen aus Papyrus-handschriften*, in Fleckeisen's *Jahrbücher*, Oct. 1892, pp. 571—5. Lectionum harum ipsa papyro inspecta prolatarum exemplar Blassii ipsius benevolentiae acceptum refero; ex eisdem nonnullas ab eodem impertitas in editione capitum 1—41 in textum nuperrime recepit Hude. Recensentur infra etiam coniecturae quaedam, quas nuper proposuit Bruno Keil.

- 2, 2 ἦν γὰρ [τότε]: ἦν γὰρ αὐτ(ῶν) Bm (Hude).
 3, 6 ἐξ [ἀρχ]ῆς ἦν] a J W Headlam prolatum accepi et defendi: καὶ π[άτ]ριος [ἦν] Bm (Hude). 10 [τὴν ἀρχήν· σημείον] δ': [ταύτ(ην)]· τεκμήρι(ον) δ' Bm (Hude). 11 ὁμνύουσι [καθάπερ]: ὁμνύουσιν ὥσ]περ Wessely et Bm (Hude). 14 ὁποτέρως ποτ' ἔχει μικρόν, ἐγένετο γὰρ ἐν τούτοις τοῖς χρόνοις: ὁποτέρως ποτ' ἔχει, μικρόν ἢ παραλλάττοι τοῖς χρόνοις Bm (Hude). 17 [μόνον τὰ ἐπίθ]ετα: π[ερ] ἐπ[ί]θετα (περ[αί]νειν ἐπίθετα?) Bm. 22 πλείων [ῆ] ἐνιαυσίος. [οὔτοι] μὲν οὖν χρ(όνον): πλείων ἐνιαυσίας. [τ]ῷ μὲν οὖν χρ(όνῳ) Bm, coll. Pl. *Leg.* 779 D οὐκ ἐλάττων ἐνιαυσίας (Hude).
 4, 10 διε[γγυ]ᾶ[σθαι]: διε[γγυ]ᾶν, *cautionem* (vel *sponsionem*) *exigere*, Bm (Hude); idem coniecerat Fränkel, *Rhein. Mus.* xlvii 473, sed alio sensu, *spondere*. 12 π(αρα)σχομένους* cum Blassio conieceram: δεχομένους K, K-W, (participio cum ἔνους constructo) Bm (Hude). 13 οὐπερ <εἰσιν> Hude.
 5, 8 ἐσορῶντ' Naber (Hude). 9 καὶ γὰρ τέπελαύνει καὶ πρὸς: 'καινομένην' (de Attica, *pereuntem*), ἐν ῆ (H1) πρὸς Bm (Hude). 17 ἐν μετρίοις τ[ρέφεσθε]: ἐν μετρίοις τι . . . θε Bm; recte igitur τίθεσθε proposuerat Platt. 21 τὴν τε φιλο- χρημ]ατίαν (quod coniecerat Kontos) Bm, qui usitatam lectionem φιλαργυρίαν cum litterarum vestigiis non congruere arbitratur, sed spatium litteris tribus ρημ paullo angustius esse confitetur.
 6, 15 ἀπεχθέσθαι <ἐλέσθαι> Hude, hiatus sine causa admisso. 18 καταρρυν- παλν[ε]ιν: καταρρυνῆναι Gertz (Hude), hiatus admisso.
 7, 7 κατεκύρωσεν (δὲ τοὺς νόμους): κατέκλησεν (ICEN iam antea Wessely) Bm; 'machte fest', 'gab Geltung', Hude; sed explicandum potius *leges suas intra centum annorum spatium inclusit*. 9 τιμήμα[τα δι]εῖλεν: τιμήματι [δι]εῖλεν Wessely, Bm (Hude). 11 τὰς μ[ὲν οὖν] ἀρχὰς: κ(αὶ) τὰς μὲν ἀρχὰς (spatio inter ME et N vacuo relicto) Bm (Hude).
 8, 21 [καὶ] τὰ τε ἄλλα: [ῆ] τὰ τε ἄλλα Bm (Hude). 24 [τοῦ *πράττ]εσθαι: [τοῦ ἐ]κτ[ιν]εσθ(αι) Bm (Hude); idem coniecerat Tyrrell.
 9, 11 ὅπως περὶ τῆς κρίσε[ως ὁ δ]ῆ[μος ἦ] κύριος Keil.
 10, 2 ποιῆσαι κ; ποιῆσαι[ι] Bm. 5 παρ' ὁ[λ]γον Keil. 6 ἦν δ' ὁ ἀρχαῖος χαρακτήρ διδράχμων. ἐποίησε δὲ καὶ <τὰ> σταθμὰ πρὸς τ[ὸ] νόμισμα, τ[ρ]εῖς καὶ <τετταράκοντα ἐπανξήσας εἰς τὰς> ἐξήκοντα μνᾶς τὸ τάλαντον ἀγοῦσας Keil, *Solon. Verf.* p. 166. 8 ἐξήκοντα: ὀγδοήκοντα Gertz (Hude). 9 [αἱ] μναί: [αἱ γ'] μναῖ Bm, supra versum hastam numeri signum prodentem cerni posse testatus: αἱ τρεῖς καὶ εἴκοσι (κγ' Gertz) μναῖ Hude.
 11, 10 An γενέσθαι τὴν [νέαν] τάξιν? Keil. 12 ἡ σ[χεδὸν ἀ]παράλλακτον Keil; ἡ μ[ικρ]οδ[ὲν] παραλλάξ[ειν] Bm, et deinceps ὅθ[ε]ν [ἀ]μφοτέρους. 13 συστά[ντι]: συστά[ντ]α Bm (Hude).

- 12, 14 ὅσοις: ὅτοις Hude. 51 φρασαίαι' ἄν Hude. 54 πολλὰισιν: πολλήσ[ι]ν Bm (πολλῆσιν Hude).
- 16, 17 τὰ: τὸ H-L (Bm). 18 πα[τρά]λψ: ἐπιμελῶς Hude, quod obiter conieceraam. 27 ἐθ[ρ]υλλ[ε]ίτο: ἐνθ[ύμ]ου(ον) ἦν Bm (Hude), qui lectionem novam idem ac ἐνεθυμούντο valere dicit, sed exspectares potius ἐνεκωμιάζετο. 31 [προ]ηρείτο: [ἐ]β[ούλ]η[το] Bm (Hude). 35 ἔμεινεν <ἐν> [τῇ ἀρχῇ, κ(αί)] ὅτ' ἐκτέσσι: ἔμεινεν, [κ(αί) δὴ] κ(αί) ὅτ' ἐκτέσσι Bm (Hude). 42 Ἀθηναίω[ν] κ (Bm).
- 17, 4 ἐφ[ευ]γεν γὰρ: ἐφ[ευ]γε γ(άρ) Bm. 18, 19 τ(ῶν) [λοιπῶν]: τ(ῶν) [ἀλλ]ων κ (Bm).
- 19, 20 ὅθεν εὐπόρησαν κτλ: ὅτι εὐποροὶ ᾔσαν χρημάτων, <ἀποβλέποντες> hiatus bis admisso Hude.
- 21, 3 <τὴν πολιτείαν ὥδε κατέστησεν>. * * * πρῶτον μὲν οὖν <συν> ἐνείμε Hude. 22, 42 ἀτίμοις: ἀτίμοις Hude. 24, 11 τῶν τελῶν [[καί]] <τῶν ἀπὸ> τῶν συμμάχων Hude. 19 ἄλλα δὲ <δέκα> νῆες αἱ τοὺς φόρους ἀγοῦσαι, <ἐχούσαι> Hude.
- 28, 16 ταῖς ὁρμαῖς <χαρίζόμενος> J B Mayor (Hude). 29, 7 τοῦ Ἐπι[σ]τή[ου]: τοῦ Ἀναφλ[υ]σ[τίου] Bm (Hude), demi potius quam patris nomine etiam alias usurpato, c. 28, 22, c. 34, 27, c. 38, 22; Pythodorum igitur non Epizeli filium tribus Aegeidis sed Anaphlystium quendam tribus Antiochidis fuisse censet B. 8 τ(ὸν) βασιλέα Bm.
- 31, 19 [[τοῖς]] αὐτοῖς: τοῖς ἀστοῖς K³ (Bm). 32, 16 ὑπακο[υ]ντων: ὑποκούντων (H-L) Bm.
- 36, 13 πολὺν μὲν χρόνον ὑπερεβάλλοντο <ἐκφέρειν Gertz>—, ὅτε δὲ καὶ ἔδοξεν αὐτοῖς [[ἐκφέρειν]], τοὺς μὲν ἐξήλειψαν τῶν <ἐγ> γεγραμμένων, τοὺς δ' ἀντενέγραψαν τῶν ἐξῴθεν Hude.
- 38, 7 * ἐπ[ε]στέλλον—μεταπε[μ]πόμ[ε]νοι: ἐπε[μ]πο[ν]—μεταπεμπόμ[ε]νοι Bm (Hude). 39, 24 τοὺς δ' ἐν τῷ ἄστει ἐν τοῖς <ἐν τῷ ἄστει τοῖς> τὰ <αὐτὰ> τιμήματα παρεχομένους Gertz (Hude).
- 41, 3 * * * δοκοῦσι δὲ δικαίως [[τοῦ δήμου]] λαβεῖν τὴν πολιτείαν (π[ο]λιτ[ι]αν Bm), Hude. 27 <ἀν> ἐληλύθασιν Hude.
- 42, 11 ἐὰν: ἡΔΝ (deleto H) Bm. 43, 15 καθίζειν: καθίζει Bm.
- 47, 12 τὰ εἰς <γ> [τῇ] πεπραμένα: τὰ εἰς [γ'] ἐτ[η] π. Bm. 14 [ὀφείλ]ετῶν ἐν[αντίον]: ἀλ[λ]ε[ν] [....], ἀλλ(ων) ἐναντίον Bm. 17 [ὅσου] ἂν πρίηται: ἂν πρίηται Bm. 30 τὰ γραμματ[ε]ῖα τὰ τὰς καταβολὰς ἀναγεγραμμένα: τὰ γραμματεῖα κ (i.e. κ=κατὰ) τὰς καταβολὰς ἀναγεγραμμένα Bm, coll. v. 20.
- 48, 5 διπλ[οῦν] ἀ[ν]άγκη: διπλ[άσιον] ἀ[ν]άγκη Bm. 8 τὰ χρ[ή]ματα: τὰς τιμ[ά]ς Bm. 16 ἀ[γ]ορ[αῖς]: ἀΝ.... ΔΙC (ante ΔΙC vinculi vestigium litteram κ vel λ vel χ indicantis) Bm, qui ἀν[α]δικ[αῖς], appellationum causa, dubitanter conicit. 21 τὸ <τε>[αὐτοῦ]: τὸ [θ'] αὐτοῦ, αὐτοῦ per se spatium non implet, Bm. 25 ἐπ[ι]γράφει: ἀ[ν]αγράφει Bm. 27 [τῇν] εὐθυναν: [ταύτ(ην) τ(ῇν)] εὐθυναν Bm, spatio sex litteris apto.
- 49, 1 f καλὸν ἱ[π]πων ἔχ[ω]ν: καλ[ῶ]ν [τροφεύ]ς ὦν Bm, numero plurali cum contextu congruente. Cf. Pl. Leg. 735 B τροφεύς ἱππων.
- 54, 32 [νῦν] δ(ἐ) πρόσκειται (π superscr. ροc, deinde κειται) [κ(αί)] Ἡ[φαίσ]τι[α], ἐπὶ Κρητισοφῶντος ἀρχοντος Bm, confessus Ἡφαιστῶν in πεντετηρίδα mutationem nusquam alias commemorari. 36 καὶ τοῦ[ν]ομα.
- 55, 2 [πραγμάτ]ων, spatio non sufficiente: [ἀπάντ]ων Bm. 3 [εἴρη]ται: [προε]ῖρηται[ι] mavult Bm.
- 56, 21 [τῆς τε]: [τῇς] (littera producta) Bm. 30 εἰς τ[ὸ δι]καστήριον: εἰς δ[ι]καστήριον Bm.
- 57, 2 [τῶν ἐπιμελητῶν οὗς] ὁ δῆμος χειροτονεῖ: τῶν ἐπ. ὦν ὁ δ. χ. Bm. 25 καὶ δικά[ζ]ουσιν ἐν ἱερ[ῶ]ι καὶ ὑπαί[θ]ριοι, coll. v. 29 εἰς τὸ ἱερόν, Bm, notas quasdam fallaces, non litterarum vestigia vera, superesse arbitratus. 28 δ[ι]καιον ἐμβαλεῖν: ν[ό]μος ἐμβαλεῖν Bm.
- 61, 27 καὶ ἄλλον τῆς [τοῦ Ἀ]μμωνος: καὶ ν[ῦν] τῆς (superscr.) [τοῦ Ἀ]μμωνος mavult Bm.

62, 5 δ[ημότη]as: δήμ[ου]s Bm.
spatio, Bm.

63, 18 πινάκιον: [καί] πινάκιον, suadente

pag. 31, 18 κα[λει]ς εἰς τὸ κ[λ]ηρωτήριον: κληρ[οῖ] κατὰ κ[λ]ηρωτήριον Bm. 24 [ἀρ-
χων]: litterae primae hasta superest, legendum igitur [κῆρυξ], Bm. ὑπάρχει—25
εἰς [ῶν] (αὐτῶν): ὑπάρχει—εἰς τὸν (Wessely) κ[λ]ηρῶν, sortitioni iam antea paratus est,
aut sortem iam antea duxit, Bm, εἰς τὸν [ἀριθμὸν]ν sensui magis congruere confessus.
26 εἰλη[χ]ῶς ἔλ[κ]ει [βάλανον]ν ἐκ τῆς ὑδρας: εἰλκYC.....ει κτλ, supra quattuor
litteras primas ΕΛΚ (ut videtur) scriptum, Bm, cui nihil sensui aptum obtigit: scri-
bendum fortasse ἐλκυσ[as αἶρ]εῖ. 27 καὶ ὁρ[έ]ξας αὐτήν, οὐκ ἰδὼν τὸ γράμμα,
δ[ε]κνυσιν πρ[ὸ]τον αὐτὸν τῷ ἀρχοντι Bm. 30 ὅπου: ΟΙΟΥ Bm, coll. v. 32. 36 ὅς
ἂν δει [μ]έλλη: ΟCΑΝΠΕΡ (deleto Ν) κτλ, ὅσαπερ [ἂν μ]έλλη Bm, quod expectabant
K-W.

pag. 32, 1 ἐκάστ[ου] εἰχ: ἐκάστ[ου] εἰληχ[ό]s Bm. 4 post γράμμα εἰ, coniciendum
igitur ἐ[στίν], Bm. 17—27 τοῖς δ' ἀπο[λ]α[γ]χ[ανουσιν] ἀποδιδ[ό]σιν οἱ ἐμπ[ή]κτ[αι]
(ΕΜΠΕΠ. ΚΤ... fortasse per errorem scripto) τὰ πινάκια. οἱ δὲ ὑπη[ρ]εταί οἱ δη-
μοσιακοί (?) τῆς φυλῆς ἐκάστης π[αραδιδό]σιν τὰ κ[λ]βώτια ἐν ἐπὶ τὸ δικαστήριον
ἐκαστον, ἐ[ν] οἷ[s] | ἐνεστίν τὰ ὀνόματ[α] τῆς φυλῆς τὰ ὄντ[α] | ἐν ἐκάστῳ τῶν
δικαστηρίων. παραδιδόσιν | δὲ τοῖς εἰληχ[ό]σιν ἀποδιδόσιν τοῖς δικαστ[αῖ]ς ἐν ἐκάστῳ
[δ]ικαστηρίῳ ἀριθμῶ τὰ πινάκια, [ἔν] (post πινάκια T, ut videtur, superscriptum) ἐκ
τοῦ[τ]ων σκοπ[ο]ύντες ἀποδιδώσιν τὸν [μισθόν]. Bm. In v. 22 τὰ [ὀνόμ]α[τα] quondam
conieceram, sed postea τὰ [πιν]ά[κια] praetuli. 28—35 κατὰ δικαστήριον (πιν
littera ο super i scripta). τί[θεται] δ' ἐν τῷ πρ[ώ]τῳ τῶν | δικαστηρίων κ[αί] |
κληρωτήρια καὶ κ[υ]β[οί] [χ]αλκοῖ | ἐν οἷς ἐπιγέγραπται τὰ χρώματα τῶν δικαστη-
ρίων | καὶ ἕτεροι κύβοι, ἐν οἷ[s] ἐστίν τῶν ἀρχῶν τὰ ὀνόματα ἐπιγέγρα[μ]μένα.
οἱ λαχόντες [δὲ] τῶν [θεσμ]οθετῶν χωρὶς ἐκατέρου τοῦ κύβου ἐμ[β]άλλουσιν, ὁ μὲν
τῶν δικαστηρίων εἰς ἐν κληρωτήριον, ὁ δὲ τῶν ἀρχῶν εἰς ἕτερον — —

pag. 33; 33^a et 33^b, composita a K-W (B), vix revera coniuncta fuisse putat Bm;
33^a et 34^c potius componenda: cumque primum 34^c et 35^a, deinde 35^a et 35^b, denique
35 et 36 coniuncta sint, fragmenta in hunc ordinem redigenda:—32, 33^b, 34^{ab} (cum
33^b coniunctum), 33^a+34^c, 35, 36, 37.

pag. 35, 1 τῶν λόγων B: Ν]ΟΜΟΝ K³; ΝΟΜΟΝ (itaque in v. 2 ἡ μαρτυρίαν) Bm.
7—8 Ποσειδωνος Bm. 12—13 κατηγοροὶ ἐσπενδοῦν Bm.

pag. 36, 5 [μ]ή [τινέ]s ὑποβ[ά]λλωνται non recte: [μ]ή [που]οῦπο[β]άλλωνται (K-W)
substitui potest, Bm. 17 π[ι]έ[ζει]ων satis clare apparet, Bm. 23 λα-
βόντες [ὑ]πηρέτ[as] (non iam inserto δύ') Bm. 24 [ἐξέ]ρωσι ἐ[πὶ] ἀβα[κα] Bm. Cf.
Arist. *Vesp.* 993, φέρ' ἐξεράσω (τὰς ψήφους). 27 [καί] τὰ πλήρη δῆλ(α), λ supra
ΔH scriptum, Bm.

ΑΡΙΣΤΟΤΕΛΟΥΣ

ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ.

1. — — [Μύρωνος καθ' ἱερῶν ὀμόσαντες ἀριστίνδην. καταγνωσθέντος δὲ τοῦ ἄγο[υ]ς [αὐτ]οὶ μὲν ἐκ τῶν τάφων ἐξεβλήθησαν,

ΘΑΡΘΕΝ

I 1 ΚΑΤΑΓΝΩΣΘΕΝΤΟΣ. Sensui repugnat καθαρθέντος, etenim tunc temporis erat τὸ ἄγος καταγνωσθὲν tantum, nondum autem καθαρθέν. 2 αὐτοὶ scripsi; quod cum verbis in altero membro (τὸ γένος αὐτῶν) satis apte quadrat; cf. Paus. i 25, 3 αὐτοὶ τε οἱ ἀποκτείναντες ἐνομήσθησαν καὶ οἱ ἐξ ἐκείνων ἐναγεῖς τῆς θεοῦ. Idem scripserunt κ-w et κ³ Kirchhoffium et Kontum secuti. νεκροὶ quondam κ, οἱ νεκροὶ H-L, sed articulo quem desideramus spatium non sufficit, et in ipsa papyro litterae τ potius quam ρ apparet vestigium.

TESTIMONIA. 1 Capitis primi partem deperditam in compendium redactam conservat Heraclidis epitoma (Rose, Frag. 611, 2^a): τοὺς μετὰ Κύλωνος (Κύκλωπος codices meliores) διὰ τὴν τυραννίδα ἐπὶ τὸν βωμὸν τῆς θεοῦ πεφειγμένους οἱ περὶ Μεγακλέα ἀπέκτειναν, καὶ τοὺς δρᾶσαντας ὡς ἐναγεῖς ἤλανον.

I. Cylon's attempt to establish a tyranny, and its consequences.

[Μύρωνος] Myron of Phlya is mentioned by Plutarch alone, *Sol.* 12, as the accuser of the Alcmaeonidae who were involved in the curse of Cylon. At a later time one of the Alcmaeonidae, named Λεωβώτης, had his revenge for this act of a member of the deme of Phlya by bringing a charge of high treason against a distinguished member of that deme, Themistocles (Plut. *Them.* 23; cf. *ib.* i § 3). Busolt, *Griechische Geschichte*, 1885, i 508.

καθ' ἱερῶν ὀμόσαντες] Cf. decree quoted in c. 29 (at end), ὀμόσαντες καθ' ἱερῶν τελείων.

ἀριστίνδην] cannot be taken with καθ' ἱερῶν ὀμόσαντες, but must go with some such verb as ἐδίκασον in the earlier part of the sentence. We may perhaps infer from Plutarch *Sol.* 12 that the sentence ran as follows: [ἐδίκασον δὲ τριακόσιοι κατηγοροῦντος] Μύρωνος καθ' ἱερῶν ὀμόσαντες ἀριστίνδην. According to Plutarch the Alcmaeonidae were tried by a court consisting of 300 persons selected from the

noblest families (δικαζόντων ἀριστίνδην). The number is confirmed by its being identical with that of the *Boule* of the partisans of Isagoras which Cleomenes king of Sparta endeavoured to establish at Athens in a subsequent attack on the Alcmaeonidae (Hdt. v 72). For ἀριστίνδην cf. c. 3, l. 2.

καταγνωσθέντος—τοῦ ἄγο[υ]ς] 'The charge of sacrilege having been made good' by the sentence of condemnation passed by the court.

ἐκ τῶν τάφων ἐξεβλήθησαν] The same incident is mentioned in Plutarch *L. c.*, and Thuc. *L. c.* In the latter it seems to be more closely connected with the second expulsion of the ἐναγεῖς (in 508 B.C.), than with the first.

The principal ancient authorities on the affair of Cylon are as follows. Hdt. v 71, ἦν Κύλων τῶν Ἀθηναίων ἀνὴρ Ὀλυμπιονίκης. οὗτος ἐπὶ τυραννίδι ἐκόμησε, προσποιησάμενος δὲ ἑταιρίην τῶν ἡλικιωτέων καταλαβεῖν τὴν ἀκρόπολιν ἐπειρήθη, οὐ δυνάμενος δὲ ἐπικρατῆσαι ἰκέτης ἔζετο πρὸς τὸ ἄγαλμα. τοὺτους ἀνίστασι μὲν οἱ πρυτάνεις τῶν ναυκράρων (αἱ ναυκραρίων), οἵπερ ἐνεμον τότε τὰς Ἀθήνας, ὑπεγγύους

3 τὸ δὲ γένος αὐτῶν ἔφυγεν αἰφυγίαν. Ἐ[πι]μενίδης δ' ὁ Κρής ἐπὶ τοῦτοις ἐκάθηρε τὴν πόλιν.

πλὴν θανάτου' φονεῦσαι δὲ αὐτοὺς αἰτία ἔχει Ἀλκμαεινίδας. ταῦτα πρὸ τῆς Πεισι-στράτου ἡλικίης ἐγένετο. The above account is unduly favourable to the Alcmaeonidae. It is materially corrected by Thucydides, i 126 § 2, Κύλων ἦν Ὀλυμπιονίκης, ἀνὴρ Ἀθηναῖος τῶν πάλαι εὐγενῆς τε καὶ δυνατός... ὁ δὲ... κατέλαβε τὴν ἀκρόπολιν ὡς ἐπὶ τυραννίδι... § 6 οἱ δὲ μετὰ τοῦ Κύλωνος πολιορκούμενοι φλαυρώς εἶχον σίτου τε καὶ ὕδατος ἀπορία. ὁ μὲν οὖν Κύλων καὶ ὁ ἀδελφὸς αὐτοῦ ἐκδιδράσκουσιν· οἱ δ' ἄλλοι ὡς ἐπέεοντο καὶ τινες καὶ ἀπέθνησκον ὑπὸ τοῦ λιμοῦ, καθίζουσιν ἐπὶ τὸν βωμὸν ἱκέται τὸν ἐν τῇ ἀκροπόλει. ἀναστήσαντες δὲ αὐτοὺς οἱ τῶν Ἀθηναίων ἐπιτετραμμένοι τὴν φυλακὴν, ὡς ἐώρων ἀποθνήσκοντας ἐν τῷ ἱερῷ ἐφ' ᾧ μηδὲν κακὸν ποιήσουσιν, ἀπαγαγόντες ἀπέκτειναν. § 7 καθέζομένους δέ τινας καὶ ἐπὶ τῶν σεμνῶν θεῶν [ἐν τοῖς βωμοῖς] ἐν τῇ παρόδῳ διεχρήσαντο. καὶ ἀπὸ τούτου ἐναγείς καὶ ἀλιτῆριοι τῆς θεοῦ ἐκεῖνοί τε ἐκαλοῦντο καὶ τὸ γένος τὸ ἀπ' ἐκείνων. ἤλασαν μὲν οὖν καὶ οἱ Ἀθηναῖοι τοὺς ἐναγείς τούτους, ἤλασε δὲ καὶ Κλεομένης ὁ Λακεδαιμόνιος ὑστερον μετὰ Ἀθηναίων στασιαζόντων (B.C. 508), τοὺς τε ζῶντας ἐλαύνοντες καὶ τῶν τεθνεώτων τὰ ὀστά ἀνελόντες ἐξέβαλον. Plutarch, *Solon* 12, supplies us with the following narrative, which has several points of contact with the account in the text. τὸ δὲ Κυλῶνειον ἄγος ἤδη μὲν ἐκ πολλοῦ διετάραττε τὴν πόλιν, ἐξ οὗ τοὺς συνωμώτας τοῦ Κύλωνος ἱκετεύοντας τὴν θεὸν Μεγακλῆς ὁ ἄρχων ἐπὶ δίκῃ κατελθεῖν ἐπεισεν· ἐξάψαντας δὲ τοῦ ἔδους κρόκην κλωστήν καὶ ταύτης ἐχομένους, ὡς ἐγένοντο περὶ τὰς σεμνὰς θεὰς καταβαίνοντες, αὐτομάτως τῆς κρόκης ῥαγείσης, ὥρμησε συλλαμβάνειν ὁ Μεγακλῆς καὶ οἱ συνάρχοντες, ὡς τῆς θεοῦ τὴν ἱερίαν ἀπολεγομένης· καὶ τοὺς μὲν ἔξω κατέλευσαν, οἱ δὲ τοῖς βωμοῖς προσφύγοντες ἀεσφάγησαν· μόνον δ' ἀφείθησαν οἱ τὰς γυναῖκας αὐτῶν ἱκετεύσαντες. ἐκ τούτου δὲ κληθέντες ἐναγείς ἐμαιοῦντο· καὶ τῶν Κυλῶνέων οἱ περιγενόμενοι πάλιν ἦσαν ἰσχυροὶ καὶ στασιάζοντες ἀεὶ διετέλουν πρὸς τοὺς ἀπὸ τοῦ Μεγακλέους. ἐν δὲ τῷ τότε χρόνῳ τῆς στάσεως ἀκμὴν λαβούσης μάλιστα καὶ τοῦ δήμου διαστάντος, ἤδη δόξαν ἔχων ὁ Σόλων παρήλθεν εἰς μέσον ἅμα τοῖς ἀρίστοις τῶν Ἀθηναίων, καὶ δεόμενος καὶ διδάσκων ἐπεισε τοὺς ἐναγείς λεγομένους δίκην ὑποσχέιν καὶ κριθῆναι τριακοσίων ἀριστίνδην δικαζόντων. Μύρωνος δὲ τοῦ Φλυέως κατηγοροῦντος ἐάλωσαν οἱ ἄνδρες, καὶ μετέστησαν οἱ ζῶντες· τῶν δ' ἀποθανόντων τοὺς νεκροὺς

ἀνορύξαντες ἐξέρριψαν ὑπὲρ τοῦς θύρας· ταῦται δὲ ταῖς παραχαῖς καὶ Μεγαρέων συνεπιθεμένων ἀπέβαλον τε Νίσαιαν οἱ Ἀθηναῖοι καὶ Σαλαμῖνος ἐξέπεσον αὐτοῖς. καὶ φόβοι τινὲς ἐκ δεισιδαιμονίας ἅμα καὶ φάσματα κατεῖχε τὴν πόλιν, οἱ τε μάντις ἄγῃ καὶ μασμοὺς δεομένους καθαρῶν προφαίνεσθαι διὰ τῶν ἱερῶν ἠγόρευον. οὕτω δὴ μετὰ πεμπτος αὐτοῖς ἦκεν ἐκ Κρήτης Ἐπιμενίδης... ἐλθὼν δὲ καὶ τῷ Σόλῳ χρησάμενος φίλῳ πολλὰ προσυπειργάσατο καὶ προωδοποίησεν αὐτῷ τῆς νομοθεσίας... τὸ δὲ μέγιστον, ἱλασμοῖς τισι καὶ καθαρμοῖς καὶ ἰδρύσει κατοργιάσας καὶ καθοσιώσας τὴν πόλιν ὑπήκοον τοῦ δικαίου καὶ μᾶλλον εὐπειθὴ πρὸς ὁμόνοιαν κατέστησε.

The date of the Olympic victory of Cylon is 640 B.C. Sex. Julius Africanus (early in 3rd century A.D.), as quoted in the *Chronicon* of Eusebius, i p. 145 = 198, has, under *Ol.* 35, 1 = B.C. 640, *Recursum Cylon Atheniensis, is qui tyrannidem affectavit*. Plutarch l.c. implies that Epimenides visited Athens, in connexion with the expiation of the curse of Cylon, shortly before the legislation of Solon (archon 594 B.C.). Hence the attempt of Cylon has generally been placed after the date of Dracon (621 B.C.). Thucydides, i 126, 3, places Cylon's attempt to seize the tyranny in an Olympic year. It has therefore been assigned to the Olympic years 620 (Clinton and Peter), 616 (Duncker), 612 (Corsini). But Herodotus l.c. describes the partisans of Cylon as an *ἐταιρήν* τῶν ἡλικιωτέρων, which points to a company of young men. Hence it has been suggested that the attempt was made at an earlier date, before the time of Dracon. It has accordingly been assigned to various Olympic years between 640 and 620 B.C., either as early as 636 or as late as 620 (Busolt, *Griechische Geschichte*, 1885, i 498 note 8, and 505). The same opinion was maintained by Prof. John H. Wright as reported in the *Proceedings of the American Philological Association*, 1888, p. xxvi. His arguments were drawn from the language of Herodotus, Thucydides and the other authorities on this incident; from considerations of the probable age of Megacles and the date of Cylon's father-in-law, Theagenes of Megara. He also urged that 'the adoption of the earlier date lent unexpected coherence and significance to certain phenomena in early Attic history, the episode thus being one of the important steps in the social

2. μετὰ δὲ ταῦτα συνέβη στασιάσαι τοὺς τε γνωρίμους καὶ τὸ

II 1 ΣΤΑΔΙΑΔΑΙ fortasse in ΔΙΑΣΤΗΔΑΙ mutandum, idem suspicantur H-L coll. Arist. *Vesp.* 41 τὸν δῆμον ἡμῶν βούλεται διαστάναι; alioqui τὸν δῆμον secludendum.

and political development of Athens, and not an unrelated event.' This opinion is confirmed by the text which clearly implies that the affair of Cylon preceded the date of Dracon.

ἐφύγεν ἀειφυγίαν] Plat. *Leg.* 871 D, 877 C, 881 BD, φευγέτω ἀειφυγίαν, 877 E, (δταν) ἐν ἀειφυγίᾳ τις φεύγῃ. Plut. *Sol.* 24, τοῖς φεύγουσιν ἀειφυγία τὴν ἑαυτῶν. Photius, s. v. μαστήρες: τῶν ἀειφυγίαν φευγαδενθέντων.

Ἐπιμενίδης] The purification of Athens by Epimenides is generally assigned to B.C. 596—5, shortly before the archonship of Solon in 594—3 (Clinton, *Fasti*, and Busolt, i 509). These dates are consistent with the account in Plutarch and were possibly suggested by it, or derived from some common source, such as Hermippus of Alexandria, quoted in Plut. *Sol.* 11. The chronology of the life of Epimenides is however extremely uncertain. Diogenes Laertius, i 111, quotes Phlegon as stating that Epimenides returned to Crete and died not long after at the age of 157. He adds that Xenophanes made him die at the age of 154, and the Cretans at 299. (But the Cretans, as we know on the authority of Epimenides himself, 'are always liars.') Suidas puts his birth in Ol. 30 (about 659 B.C.), and describes him as an old man at the time of the purification, which he places in Ol. 44 (B.C. 604—), corrected by Bernhardt into Ol. 46 (B.C. 596—). At the latter date he would have been 63.

On the other hand, Plato, *Leg.* 642 D, 698 C, describes him as coming to Athens and offering expiatory sacrifices in 500 B.C. This account is rejected by Bentley and Grote. The former says of Plato: 'that great Man did not tie himself in his Discourses to Exactness of Time' (*Phalaris*, p. 58); the latter regards the statement in the *Laws* as 'a remarkable example of carelessness in chronology' (*H. G.*, c. 10, ii 294). The sacrifices ascribed to Epimenides by Plato may, indeed, be connected with the outbreak of a plague attested by an inscription of about 500 B.C. (CIA i 475, Busolt i 509), but this is not enough to warrant our placing the prophet a century later than the age of Solon.

Thus we have two accounts of the date of Epimenides, (1) that represented by

Plato, placing him about 500 B.C.; (2) that represented hitherto by no earlier authority than Hermippus, placing him about 600 B.C. (2) is supported by the text, which mentions his visit immediately after an account of a trial assigned by Plutarch to the time of Solon. The discrepancy between the two accounts is explained by Diels as arising from the fact that Plato is referring to the Epimenides of literature and not to the Epimenides of history. The Theogony ascribed to Epimenides was written under Orphic influence shortly before the Persian wars; and the story of the protracted sleep of Epimenides, which lasted for a whole century, was a fiction designed at the same time to give currency to the poetical fabrications ascribed to him. The curse of Cylon was originally expiated through the banishment of the Alcmaeonidae and the purification of Athens by Epimenides about 600 B.C. In the following century the Alcmaeonidae returned and about 508 B.C., after the expulsion of the Peisistratidae, when Cleisthenes, the Alcmaeonid, was the foremost man in the state, the influence of the exiles led to a revival of the memory of the ancient crime. At such a time as this the story of Epimenides was naturally revived by the opponents of Cleisthenes, and his oracles invented as part of their machinations against the guilty race of the Alcmaeonidae (Diels, *Sitzungsberichte* of the Berlin Academy, April 16, 1891, part xxi; abstract in *Berliner Philologische Wochenschrift*, p. 766).

ἐπὶ τούτοις] either 'thereupon,' or 'besides.' Ἐπὶ τούτοις in the former sense = μετὰ ταῦτα has hitherto been found only in the spurious works (Eucken, *Sprachgebrauch des Ar.*, p. 51). The latter sense (*praeterea*) is on the whole preferable, and is found in *Rhet.* ii 6, 1384 a 9. Cf. *Pol.* ii 9, 1271 a 39, ἐπὶ τοῖς βασιλεύσιν ἢ ναυαρχία ἑτέρα βασιλεία καθέστηκεν.

ἐκάθηρε] For the details of this purification, see Plut. *Sol.* 12 *ad fin.* (καθαρμοῖς), and Diogenes Laertius i 110.

II. *The conflict of the classes before the times of Dracon and Solon.*

μετὰ ταῦτα] i.e. after the affair of Cylon, which must have been the main

πλήθος πολὺν χρόνον [[τὸν δῆμον]]. ἦν γὰρ [τότε] ἡ πολιτεία τ[οῖς 2
τε] ἄλλοις ὀλιγαρχικῇ πᾶσι, καὶ δὴ καὶ ἐδούλευον οἱ πένητε[ς τ]οῖς
πλουσίοις καὶ αὐτοὶ [καὶ τ]ὰ τέκνα καὶ αἱ γυναῖκες, καὶ ἐκαλοῦντο
5 πελάται καὶ ἐκτημόροι· κατὰ ταύτην γὰρ τὴν μίσθωσιν [εἰ]ργά-

2 τὸν δῆμον secluserunt K, K-W, H-L, B: defendit J E B Mayor. 5 κῖ? ταγῖτ' ἱμικθωσ
ἀντὶ ταύτης γὰρ τῆς μισθώσεως H-L. εἰργάζοντο H-L.

TESTIMONIA. 5 πελάται καὶ ἐκτημόροι. *Photius s. v. πελάται 2 Aristotelem nominat. Cf. schol. in Plat. *Euthyphr.* p. 327; Pollux iv 165 ἐκτημόριοι (ἐκτημόριον codices, emendavit Jungermann; ἐκτημόροι Cobet Pollucis sui in margine) δὲ παρὰ τοῖς Ἀττικοῖς, id. iii 82; Plut. *Sol.* 13 (Rose, Ar. Frag. 351², 389³).

subject of the previous chapter; although, in the part that has been preserved, the narrative of its consequences is brought down to the time of Epimenides (and Solon).

For the general sense, cf. Plut. *Sol.* 13 *init.*, οἱ δ' Ἀθηναῖοι τῆς Κυλωνείου πεπαιγμένης ταραχῆς καὶ μεθεστώτων... τῶν ἐναγῶν, τὴν παλαιὰν αὐθις στάσιν ὑπὲρ τῆς πολιτείας ἐστασίαζον, ὅσας ἡ χώρα διαφοράς εἶχεν, εἰς τὸσαῦτα μέρη τῆς πόλεως διαστάσης.

In the *editio princeps* τὸν δῆμον was regarded as 'superfluous,' and as 'probably a gloss upon τὸ πλήθος.' The text was thereupon defended by Professor Mayor as follows: 'when Cobet removes glosses from late texts, he can appeal to *scholia*, in which even common words are explained. Readers and scribes in Egypt, say 100 A.D., needed no such helps: again πλήθος is not coextensive with δῆμος, and is elsewhere found in close connexion with it (20 § 1; 21 § 1). Here οἱ γνώριμοι καὶ τὸ πλήθος are the factions whose struggles convulse τὸν δῆμον. For στασίαζω is here transitive. Otherwise πολὺν χρόνον must have been placed just before or just after στασίασαι. In the manuscript reading it separates the complex subject of the verb from the object and keeps the reader in suspense.' Mr Kenyon, in his third ed., replies that 'δῆμος does not seem to be used in this treatise as denoting the whole state except with the collateral sense that the state was a democracy.' Even in c. 14 § 1, ἐπαναστάς... τῷ δῆμῳ, and 15 § 3, παρελόμενος τοῦ δῆμου τὰ ὅπλα, 'there is the sense of an attack on the democracy by a despot.' He also modifies his view respecting τὸν δῆμον, suggesting that the words were 'written as a correction of τὸ πλήθος, not as an explanation.'

The transitive use of στασίαζειν, above suggested, is very rare. In [Dem.] 11 § 18, p. 157, 10, τῶν ἐκείνων πραγμάτων

οὐδὲν στασίαζειν παρασκευάζομεν (quoted in L and S) really means 'we do not cause faction in any of his affairs' (see Weil *ad loc.*). The intrans. sense is also clearly marked in Lysias 18 § 18, τοῖς θεοῖς ἡύχεσθε εἰς ὁμόνοιαν καταστήναι τὴν πόλιν μάλλον ἢ [ἐπὶ τιμωρίαν τῶν παρεληλυθόντων τραπόμενοι] τὴν μὲν πόλιν στασίασαι τοὺς δὲ λέγοντας ταχέως πλουτήσαι. The trans. use is found in Anon. apud Stobaeum 510, 1 *οἴκους*; but the *Indices* to Plato and Aristotle supply no example of this use. To express the trans. Isocrates uses ποιεῖν στασίαζειν, p. 68 B, and 279 D. στασίαζειν is intrans. twice in 8 § 5, twice in 13 § 2, also in 20 § 1, and elsewhere. Hence we must either take it as intrans. here, and strike out τὸν δῆμον (which I prefer), or regard στασιασάει as having taken the place of a trans. verb ΔΙΑΣΤΗΣΑΙ. Cf. Hdt. ix 1 § 2, πέμπε χρήματα εἰς τοὺς δυναστεύοντας ἄνδρας ἐν τῇσι πόλεσι, πέμπων δὲ τὴν Ἑλλάδα διαστήσεις· ἐνθεῦτεν δὲ τοὺς μὴ τὰ σὰ φρονέοντας ῥηδίως μετὰ τῶν στασιωτέων καταστρέφει. Xen. *Hell.* ii 4 § 35, διάστη δὲ καὶ τοὺς ἐν τῷ ἄστει. Plut. *Sol.* 13 (of the same period) τῆς πόλεως διαστάσης. Ar. *Pol.* 1321 a 15, ὅταν διαστῶσι, and *ib.* 19 ταύτη δὲ ἐπικρατοῦσιν ἐν ταῖς διαστάσεσιν οἱ δῆμοι τῶν εὐπόρων. As a possible alternative one might suggest διαστασίασαι, 'to form into separate factions,' *Pol.* 1303 b 26, ὅθεν προσλαμβάνοντες τοὺς ἐν τῷ πολιτεύματι διεστασίασαν πάντας, and 1306 a 3, διεστασίασιν αὐτοὺς πρὸς τοὺς εὐπόρους.

§ 2. τοῖς τε ἄλλοις... καὶ δὴ καὶ] 16 §§ 2, 10. In 18 § 2 and 19 § 3 we have καὶ alone in the second clause. It is exceptional for τε to be omitted, as in Lycurg. *Leocr.* 95, ἐπὶ τὴν ἄλλην χώραν καὶ δὴ καὶ (where Baiter prefers ἐπὶ τε).

πελάται] used by Plutarch in eight passages as an equivalent for the Roman *clientes* (*Romulus* 13, *Poplicola* 5, *Coriolanus* 13 and 21 § 4, *Marius* 5 § 5, *Crassus*

ζοντο τῶν πλουσίων τοὺς ἀγρούς (ἡ δὲ πᾶσα γῆ δι' ὀλίγων ἦν), καὶ εἰ μὴ τὰς μισθώσεις [ἀπ]οδίδοιεν, ἀγώγιμοι καὶ αὐτοὶ καὶ οἱ παῖδες ἐγίγνοντο, καὶ [οἱ δανεισμοὶ π]ᾶσιν ἐπὶ τοῖς σώμασιν ἦσαν μέχρι Σόλωνος· οὗτος δὲ πρῶτος ἐγέν[ετο τοῦ] δῆ[μου] προστάτης. χαλεπώτατον μὲν οὖν καὶ πικρότατον ἦν τοῖς πολλοῖς τῶν 10 κατὰ τὴν πολιτείαν τὸ [δουλεύ]ειν. οὐ μὴν ἀλλὰ καὶ ἐπὶ τοῖς ἄλλοις ἐδυσχέρανον· οὐδενὸς γάρ, ὥς εἰπεῖν, ἐτύγχανον μετέχοντες.

8 ΕΓΙΝΟΝΤΟ (K-W): ἐγίγνοντο (H-L, K³); in titulis Atticis annorum 445—292 A.C. quadraginta tribus locis inventum est γίγνομαι, nusquam γίνομαι (Meisterhans, *Grammatik der Attischen Inschriften*, p. 141²); itaque ubique praetuli γίγνομαι. καὶ οἱ δανεισμοὶ πᾶσιν Blass (K³ p. LXIV): καὶ [δε]δ[εμένοι τοῖς δανείσ]ασιν K, καὶ γὰρ κτλ. K-W; ὑπόχρεψ γάρ H-L repugnante papyro. 11 δουλεύειν K-W (K³, B): [τὸ τῆς γῆς μὴ κρατ]εῖν H-L Blassii coniecturam secuti.

21 § 5, *Cato Minor* 34 § 3, *Tib. Gracchus* 13 § 2; also in *Agis* 6 § 5, and *Quaest. Conviv.* ii 10, (ὁ κυτὸς) Βουβίου θεοῦ πελάτης καὶ παράσιτος ὦν.

ἐκτημόροι] (1) Plut., *Sol.* 13, states that these tenants paid their landlords a sixth part of the produce (ἕκτα τῶν γινομένων τελοῦντες). Similarly, Hesychius, *s. v. ἐπιμορτος*. (2) Photius, *s. v. πελάται*, says that they cultivated the soil in return for a sixth part of the produce (ἕκτω μέρει τῶν καρπῶν εἰργάζοντο τὴν γῆν). Similarly, Hesychius, *s. v. ἐκτημόροι*, and the Scholiast on Plato, *Euthyphron* 4 c. Thus Plutarch makes them pay 1/6 and retain 5/6 for their own maintenance; while Photius makes them pay 5/6 and retain 1/6. The former view is preferable and it is supported by Oncken (*Staatslehre*, ii 437 n) who observes that a tax of 1/6 was sufficiently severe to imply a considerable amount of distress, and by Gompertz (in Appendix III to his polemical pamphlet, *Die Schrift vom Staatswesen der Athenen*, pp. 45—48).

μισθωσιν] 'rent' (not 'wages'). *Inf. μισθώσεις ἀποδίδοιεν*. Dem. 28 § 12, ἀποδεδωκε τὴν μίσθωσιν, and 43 § 58 (*lex*) τοὺς μὴ ἀποδίδοντας τὰς μισθώσεις τῶν τεμεῶν.

δι' ὀλίγων ἦν] c. 4 *ad fin.* The sense is not materially different in *Pol.* viii (v) 6, 1306 a 16, τῆς πολιτείας δι' ὀλίγων οὐσης, and *infra* c. 29 l. 9, δι' ὀλίγων ποιήσονται τὴν πολιτείαν, also *Pol.* 1318 b 34, αἱ τε γὰρ ἀρχαὶ αἰεὶ διὰ τῶν βελτιστῶν ἔσονται, 1301 b 12, τὴν μὲν κατὰστασιν προαιροῦνται τὴν αὐτήν, δι' αὐτῶν δ' εἶναι βούλονται, 1293 a 28, δι' αὐτῶν ἔχων (Eucken, *Sprachgebrauch des Ar.*, p. 38).

ἀγώγιμοι] Plut. *Sol.* 13, χρεῖα λαμβάνοντες ἐπὶ τοῖς σώμασιν ἀγώγιμοι τοῖς δανείζουσιν ἦσαν, 15 § 8, τῶν ἀγωγίμων πρὸς

ἀργύριον γεγονότων πολιτῶν.

Diod. Sic. i 79, 16 (of an Egyptian law-giver) τῶν ὀφειλόντων τὴν ἐκπράξιν τῶν δανείων ἐκ τῆς οὐσίας μόνον ἐποιήσατο, τὸ δὲ σῶμα κατ' οὐδένα τρόπον εἴασεν ὑπάρχειν ἀγώγιμον.

δανεισμοὶ κτλ.] c. 4 *ad fin.*, c. 9 § 1 δανείζειν ἐπὶ τοῖς σώμασιν. Dion. Halic. *Ant. Rom.* iv 9, p. 658, 6 Reiske (of Servius Tullius), νόμον θήσομαι, μηδένα δανείζειν ἐπὶ σώμασιν ἐλευθέρους, and v 53, p. 970, 4 (οἱ δανείζοντες) εἰς δεσμούς τὰ τῶν ὑποχρέων ἀπήγον σώματα. The word δανεισμός occurs in *Eth.* 1131 a 3, Plat. *Rep.* 473 E, *Leg.* 842 D, 921 C.

τοῦ δήμου προστάτης] In Plut. *Sol.* 13 *ad fin.*, the oppressed citizens resolve on choosing ἕνα προστάτην ἄνδρα, and the choice falls on Solon. The same term is applied *infra* c. 28 to Solon, Peisistratus, Cleisthenes, Xanthippus, Themistocles and Aristides, Ephialtes and Pericles, Cleon and Cleophon. According to Grote's definition, which is mainly applicable to a time later than that of Solon, the term 'denotes the leader of a popular party, as opposed to an oligarchical party (see Thuc. iii 70, 82, iv 66, vi 35) in a form of government either entirely democratical, or at least in which the public assembly is frequently convoked and decides on many matters of importance' (*Hist. of Gr.* vii p. 304 n). See Dr Hager's article in Smith's *Dict. of Ant.* ii 504.

§ 3. οὐδενός...ὥς εἰπεῖν] An example of the normal use of ὥς εἰπεῖν, to modify a numerical exaggeration. To the passages quoted in my note on Dem. *Lepi.* § 140, the following may be added, from Aristotle's *Politics*. ὥς εἰπεῖν is used with πᾶς in 1263 b 4, 1273 b 17, 1282 a 5,

3. ἦν δ' ἡ τάξις τῆς ἀρχαίας πολιτείας τῆς πρὸ Δράκοντος [τοιάδε]. τὰς μὲν ἀρχὰς [καθ']στασαν ἀριστίνδην καὶ πλουτίνδην· ἡρχον δὲ [το] μὲν πρῶτ[ον διὰ βίου], μετὰ δὲ ταῦτα

III 3 διὰ βίου K-W, H-L (K³, B): δει quondam K.

1314 a 14, 1319 a 30, 1323 a 20, 1328 b 16; also with numbers in 1285 b 34 σχεδὸν δὸς ἔστιν ὡς εἰπεῖν, 1302 a 19 σχεδὸν ὡς εἰπεῖν τρεῖς. ὡς ἐπὶ τὸ πλείστον εἰπεῖν occurs in 1297 b 33, 1335 a 8. ὡς ἀπλῶς εἰπεῖν, in 1293 b 34, 1299 a 25, 1310 a 37. ὡς εἰπεῖν is less frequently used to modify a strong metaphor or other emphatic phrase unconnected with number: 1263 a 36 τοῖς δούλοις χρώνται τοῖς ἀλλήλων, ὡς εἰπεῖν ἰδίους, 1268 a 23 τὰς κυριωτάτας ἀρχὰς ὡς εἰπεῖν, 1324 b 6 τῶν πλείστων νομίμων χύδην ὡς εἰπεῖν κειμένων, 1301 b 5 ἀρχαὶ μὲν οὖν ὡς εἰπεῖν [bracketed by Susemihl, transferred after πηγαὶ by others] αὐταὶ καὶ πηγαὶ τῶν στάσεων εἰσιν, 1304 b 5, οἱ κατ' ἀρετὴν διαφέροντες οὐ ποιοῦσι στάσιν ὡς εἰπεῖν, 1312 b 23 εὐθὺς ὡς εἰπεῖν. ὡς ἔπος εἰπεῖν is combined with πᾶς, 1252 b 29; also *infra* c. 57 § 1, and with πλείστα in 49 § 5. It is quite unnecessary to substitute it for ὡς εἰπεῖν here.

III. The Athenian Constitution before the time of Dracon.

According to the current account the title of king was abolished on the death of Codrus. His son Medon, and twelve successors, beginning with Acastus and ending with Alcmaeon, were archons for life. In the second year of Alcmaeon (752 B.C.) the life archonships of the Medontidae were reduced to the duration of ten years. The names of seven decennial archons have been preserved. In 712 B.C., with this limitation in the tenure of the office, the archonship was thrown open to all the Eupatridae. Lastly, in the archonship of Creon (683 B.C.), or on the expiration of that of Eryxias (682, Duncker, *Hist. of Greece*, ii 135 E. T.), the single decennial archon was abolished, and his duties were distributed over nine officials who held office for a year only, and were elected by the Eupatridae out of their own body (Grote, *H.G.*, ii chap. 10 *init.*). The legend that it was out of gratitude for the heroism of Codrus that the title of king was abolished has no earlier authority than that of Justin (ii 7). It is not recognised by Plato or Aristotle, or by any early writer. Plato describes Codrus as meeting his doom in quest of glory and in the interests of the royal

status of his descendants, *Symp.* 208 D, ὑπὲρ τῆς βασιλείας τῶν παίδων. Aristotle, *Pol.* viii (v) 10, p. 1310 b 37, implies that he was one of those who earned their royal power by their services to their country (κατὰ πόλεμον κωλύσαντες δουλεύειν). The life-archons were elected from the royal house, and bore the title of βασιλεῖς (Pausanias i 3 § 3). This title was never formally abolished, but survived even in later times in the name of the ἀρχων βασιλεὺς. The institution of the office of life-archon is described by Pausanias, iv 5 § 10, as a change ἀντὶ βασιλείας ἐς ἀρχὴν ὑπεύθυνον. In explanation of this phrase it has been suggested that the life-archon was 'responsible to the general body of the Eupatridae' (*See* ARCHON, p. 166 a, in Smith's *Dict. Ant.*); but it seems more probable that Pausanias used a phrase which was an obvious antithesis to an irresponsible monarchy without having any real knowledge of the nature of the responsibility attaching to the holder of a life-archonship (Busolt, i pp. 400 f).—Cf. Lugebil, *Jahrb. f. class. Philol.*, suppl. Bd v 539—564.

ἀριστίνδην καὶ πλουτίνδην] *inf.* § 6. *Pol.* 1273 a 23, οὐ γὰρ μόνον ἀριστίνδην ἀλλὰ καὶ πλουτίνδην οἴονται δεῖν αἰρεῖσθαι τοὺς ἀρχοντας, 1293 b 10, ὅπου γε μὴ μόνον πλουτίνδην ἀλλὰ καὶ ἀριστίνδην αἰροῦνται τὰς ἀρχάς, 1272 b 36, ταύτην δ' αἰροῦνται τὴν ἀρχὴν ἀριστίνδην. = κατ' ἀρετὴν 1273 a 26. Isocr. *Paneg.* 146, οὐκ ἀρ. ἐπειλεγμένους. Plat. *Leg.* 855 c, ἀρ. ἀπομερισθὲν δικαστήριον. In Andoc. *de Pace* 30, πολλοὺς Ἀθηναίων ἀπολέσαντες ἀριστίνδην καὶ τῶν συμμάχων, I should prefer to read ἀρδην, which is combined with ἀπολλύναι in Plato *Rep.* 421 A. The adverb is defined by Timaeus as meaning κατ' ἀνάγκαν αἰρετόν. Prof. Mayor adds to lexicons the following examples of ἀριστίνδην: 'Dem. p. 1069, 7, Plut. *Sol.* 12 § 2, *Lysand.* 13 § 7 (where also πλουτίνδην, as in *Septem Sap. Conv.* 11 pr. p. 154). Euseb. *Ecl. Proph.* iv 4 p. 177, 18. CIA i 61, App. *Bell. Civ.* i 35. Aelian in Suid., Διονυσίῳ σκωμμάτων, has πλουτίνδην' (*Class. Rev.* v 120).

διὰ βίου] *Pol.* 1270 b 39, 1272 a 37, 1285 a 15; *inf.* at end of § 6.

- 2 [δεκ]αετίαν. μέγισται δὲ καὶ πρῶται τῶν ἀρχῶν ἦσαν βασ[ιλεὺς καὶ πολ]έμαρχος καὶ ἄρ[χων]. τούτων δὲ πρ[ώτ]η μὲν ἡ τοῦ βασι-
λέως, αὕτη γὰρ *ἐξ [ἀρχ]ῆ[s ἦν]. δευτέρα δ' ἐπικατέστη [ἡ πολε]μ-
αρχία διὰ τὸ γε[ν]έσθαι τινὰς τῶν βασιλέων τὰ πολεμικὰ μαλ[α-
κούς, ὅθεν καὶ] τὸν Ἴωνα μετε[πέμ]ψαντο χρεία[s κ]αταλαβούσης.
3 τελευταία δ' ἡ [τοῦ ἄρχο]ντος [οἶ] μὲν γὰρ πλείους [ἐ]πὶ Μέδοντος,
ἔνιοι δ' ἐπὶ Ἀκάστου φασὶ γενέσθαι [τὴν ἀρχήν] σημείον] δ' 10
ἐπιφέρουσιν [ὅτι] οἱ ἐννέα ἄρχοντες ὁμνύουσι [καθάπερ] ἐπὶ Ἀκά-
στου τὰ ὅρκια ποι[ή]σειν, ὡς ἐπὶ τού[το]ν τῆς βασιλείας παραχω-
ρησάντων τῶν Κοδ[ριδῶν], *ἀνταποδοθεῖσιν τῷ ἄρχοντι δωρεῶν.

6 ἐξ ἀρχῆς ἦν J W Headlam, quod accepi coll. 16 § 1, 28 § 1, 55 § 1, *Pol.* 1297 ὁ 17 ἡ πρώτη δὲ πολιτεία ἐν τοῖς Ἑλλήσιν ἐγένετο μετὰ τὰς βασιλείας ἐκ τῶν πολεμούντων, ἡ μὲν ἐξ ἀρχῆς ἐκ τῶν ἱππέων, et *Ar. frag.* 611 (1) R³ Ἀθηναῖοι τὸ μὲν ἐξ ἀρχῆς ἐχρῶντο βασιλείᾳ. ἐν ἀρχῇ ἦν hiatus sine causa admissio K³; ἐν [ἀρχῇ κατέστη] K-W, πάτριος ἐγένετο H-L, sed lectioni neutri spatium sufficit. ἡ inseruit J B Mayor (H-L, K³).

7 γενέσθαι K-W, B. ΠΟΛΕΜΙΑ K (K-W, H-L): πολεμικά Blass; cf. 23, 14. 8 ὅθεν καὶ K (H-L), litteras OΘ aliquatenus cerni posse arbitratus: [πρῶτον] δὲ K-W, B. 10 ἐπ' H-L. τὴν ἀρχήν K (H-L): ταύτην K-W: [βασιλέ]ως B. [σημείον] K, K-W, H-L: τ[ούτῳ] B.

12 τὰ ὅρκια ποιήσιν (litteris primis quinque incertis) K³; τὰ ἄρτια ποιήσιν e papyro eruatur Wessely. [τῆς πόλεως ἀρχ]εῖν K¹, [τῆς] πόλ[εως] ἄρ[χ]εῖν K-W, [βασιλέως ἀρ]εῖν Platt (H-L). τούτου τῆς H-L (K³): τῆς ἐ[κείνου] K¹ (K-W). 13 ἀντὶ τῶν δοθεῖσιν, litteris evanidis scripta, K³, B: τ[ῶν] [ὑπε]ξηρημένων K-W: pro ἀντὶ τῶν δοθεῖσιν (ΔΝΤΙΤ-ΔΘΘΕΙΩΝ), quod litteris valde obscuris scriptum esse dicitur, scripsim aut ἀντι-παραδοθεῖσιν (ΔΝΤΙΠΔΘΘΕΙΩΝ) aut (quod usitatius est) ἀνταποδοθεῖσιν; litteris fere tredecim spatium sufficit.

§ 2. **πολεμαρχία** This account of the original relation of the πολέμαρχος to the βασιλεὺς is illustrated by the Schol. on Plat. *Phaedr.* 235 D, where the former is described as ὡς περ λοχαγὸς τοῦ βασιλέως (Wyse in *Class. Rev.* v 224). Similarly in certain semi-savage tribes the institution of a 'war-king' has grown up beside that of the regular hereditary monarch. Cf. Post, *Bausteine*, ii p. 84.

μαλακοὺς Heraclidis epitoma, Rose, *Frag.* 611, 1, ἀπὸ δὲ Κοδριδῶν οὐκέτι βασιλεῖς ἦρουντο διὰ τὸ δοκεῖν τρυφᾶν καὶ μαλακοὺς γεγονέναι.

Ἴωνα Ion, the son of Creusa, daughter of Erechtheus, was summoned to the aid of Athens against Eleusis and was entrusted with the conduct of the war. *Hdt.* viii 44, *Paus.* vii 5, 1, and esp. i 31 § 3, Ἀθηναῖον ἐπὶ τοῦ πολέμου τοῦ πρὸς Ἐλευσινίου ἐπολεμάρχησε. Cf. Schol. on Arist. *Aves* 1527, πατῶν δὲ τιμῶσιν Ἀπόλλωνα Ἀθηναῖοι, ἐπεὶ Ἴων ὁ πολέμαρχος Ἀθηναῖον ἐξ Ἀπόλλωνος καὶ Κροῦσης τοῦ Σούθου (γυναικὸς) ἐγένετο (Rose, *Frag.* 343² = 3813). This scholium may have been derived either from the present passage, or from another in

which Ion was mentioned near the beginning of the treatise.

τελευταία—ἄρχοντος It is uncertain whether the president of the board of nine magistrates bore the title of Archon before the time of Solon. Probably up to that time the members of the board were called *πρυτάνεις* and their president retained the ancient title of βασιλεὺς. It was the βασιλεὺς that presided over the archons when assembled as a judicial body (Busolt, i 408). On the other side, see Gilbert's *Gr. St.*, i 117—118.

§ 3. **Μέδοντος** son of Codrus. **Ἀκάστου**, successor of Medon (Busolt, i 403). **ὁμνύουσι** The oath of the archons is also mentioned in 7 § 1 and in 55 *ad fin.*, but this particular clause is not cited elsewhere.

παραχωρησάντων For the constr. cf. *Dem.* p. 38, 24, ἀξίω ὑμᾶς μὴ παραχωρεῖν τῆς τάξεως, p. 655, 17, π. τῆς ἀρχῆς. For the sense, *Pol.* 1285 ὁ 14, τὰ μὲν αὐτῶν παριέντων τῶν βασιλέων, τὰ δὲ τῶν δχλων παραιρουμένων, ἐν μὲν ταῖς ἄλλαις πόλεσιν, αἱ πατρίοι θυσίαι κατελείφθησαν τοῖς βασιλεῦσι μόνον.

ἀνταποδοθεῖσιν—δωρεῶν 'corre-

τοῦτο μὲν οὖν ὁποτέρως ποτ' ἔχει μικρόν, ἐγένετο γὰρ ἐν τούτοις
 15 τοῖς χρόνοις· ὅτι δὲ τελευταία τούτων ἐγένετο τῶν ἀρχῶν, [ση]μεῖον
 καὶ [τὸ] μη[δ]ὲν [τῶν π]ατρίων τὸν ἀρχοντα διοικεῖν ὥσπερ ὁ
 βασιλεὺς καὶ ὁ πολέμαρχος, ἀλλὰ [μόνον] τὰ ἐπίθ[ε]τα. διὸ
 καὶ νεωστὶ γέγονεν ἡ ἀρχὴ μεγάλη, τοῖς ἐπ[ι]θέτοις αὐξηθ[ε]ῖσα.
 θεσ[μ]οθέται δὲ πολλοί[ς] ὕστερον ἔτεσιν ἡρέθησαν, ἥδη κατ' 4
 20 ἐνιαυτὸν αἰρ[ουμένων] τὰς ἀρχάς, ὅπως ἀναγράφαντες τὰ θέσμια
 φυλάττωσι πρὸς τὴν τῶν [παρανομού]ντων κρίσιν· διὸ καὶ μόνῃ
 τῶν ἀρχῶν οὐκ ἐγένετο πλείων [ἡ] ἐνιαύσιος. [οὔτοι] μὲν οὖν 5
 χρόνον τοσοῦτον προέχουσιν *ἀλλήλων. ᾤκησαν* δ' οὐχ ἅμα πάντες

14 μικρόν [διαφέρει, ἅτε δὴ ἐν ἀτάκ]τοις τοῖς χρόνοις Paton, μικρόν διαφέρει ἐν τούτοις
 <τοῖς> χρόνοις H-L; μικρόν, ἀλλ' [οὖν ἐγένε]το ἐν τούτοις <τοῖς> χρόνοις K-W; μικρόν
 ἀ[ν] διαλλάτ[τοι] τοῖς χρόνοις, vel μικρόν γε π[αρα]λλάττει τοῖς χρόνοις, B. ἐγένετο γὰρ
 ἐν τούτοις τοῖς, litteris evanidis scripta, K³. 16 πατρίων Wyse, Blass, K-W, H-L (K³),
 coll. 57 § 1 τὰς πατρίους θυσίας διοικεῖ οὗτος (ὁ βασιλεὺς) πάσας. 17 ἀλλὰ [μόνον
 τὰ ἐπίθ]ετα K³, B; an μάλλον? ἀλλὰ καινά τινα ἐπίθετα H-L; ἀλλ' [ὅλως μηδὲν
 μ]έγα K-W. 20 αἰρουμένων Wyse, Blass, K-W, H-L, K³. 21 παρανομούντων
 K (K-W, B): ἀκοσμούντων H-L spatio vix expleto. 22 ΠΛΕΙΩΝ K: πλείων K-W, B;
 πλείν H-L. πλὴν ἡ, vel πλὴν εἰ, H Richards. 23 ΑΛΛΗΛΩΝΗΚΑΝ: ἄλλων. ᾤκησαν
 K: ἀλλήλων. ἦσαν Jackson, Blass (K-W, H-L); malui ἀλλήλων. ᾤκησαν: ἀλλήλων.
 ἐδίκαζον Herwerden coll. Suid. s. v. ἀρχων: καθίζον Gennadios, συνῆσαν Kontos.

sponding privileges being (at the same time) assigned to the archon.' ἀντὶ τῶν δοθεισῶν, suggested by Mr Kenyon, is confessedly a somewhat remarkable expression, and is interpreted to mean 'in consideration of the privileges which were surrendered to the archon'; but this is hardly satisfactory in point of sense. What we expect is ἀντιπάλων δοθεισῶν τῷ ἀρχοντι δωρεῶν.

ὁποτέρως ποτ' ἔχει] *De Physica Auscult.* 252 b 35, ὁποτέρως ποτ' ἔχει. *De Sensu*, 446 a 21, ὁποτέρως ποτὲ γίνεται. *περὶ ζωῆς* 467 b 17, ὁποτέρως ποτὲ δεῖ καλεῖν (*Index Ar.*).

§ 4. θεσμοθέται, literally 'legislators,' from θεσμοί, the old term for νόμοι. The name was 'probably applied to them as the judges who determined the great variety of causes which did not fall under the cognizance of their colleagues; because, in the absence of a written code, those who declare and interpret the laws may be properly said to make them' (Thirlwall, ii 17). According to the text, the object of their appointment was to secure that the enactments of the law should be publicly recorded and duly preserved, with a view to their being enforced against transgressors. In the absence of a code of law, such as Dracon afterwards gave to Athens, the θέσμια of the text were presumably 'judicial deci-

sions' recorded as precedents for similar cases in the future. See also Holm, *Gr. Gesch.* i 516.

κατ' ἐνιαυτὸν—τὰς ἀρχάς] B.C. 683. ἀναγράφαντες] not exactly to 'commit to writing' (Poste), but to engrave on a tablet and set up in a public place (this is the force of ἀνα-); in brief, 'to record publicly.'

διὸ] does not appear to refer to the immediately preceding clause, but to the beginning of the previous sentence. It was because the *thesmothetae* were not instituted until the time when magistrates were appointed annually that, unlike the three senior archons in former days, they never held office for more than a year.

§ 5. οὔτοι—ἀλλήλων] 'Such then is the order of precedence which these magistrates have over one another in point of date,' i.e. (1) βασιλεὺς, (2) πολέμαρχος, (3) ἀρχων, (4) θεσμοθέται. ἀλλήλων is somewhat loosely used.

ᾤκησαν δ' οὐχ ἅμα πάντες κτλ.] With reference to the lexicographical articles quoted above, in the *Testimonia*, it was remarked by Schömann (*Ant. Gr.* p. 412 E. T.) that 'before the time of Solon, as we are assured by evidence which, it must be admitted, is exceedingly apocryphal in character, the nine Archons were not permitted to sit in judgment all to-

οἱ ἐννέα ἄρχοντες, ἀλλ' ὁ μὲν βασιλεὺς ἐ[ῖ]χε τὸ νῦν καλούμενον
βουκολεῖον, πλησίον τοῦ πρυτανείου (σημεῖον δέ' ἔτι καὶ νῦν γὰρ 25

25 ΒΟΥΚΟΛΙΟΝ (K, H-L, B): βουκολεῖον K-W.

TESTIM. 23—33. Bekk. *Anecd.* 449, 19 et Suidas s. v. ἄρχων: ...πρὸ μὲν τῶν Σόλωνος νόμων οὐκ ἐξῆν αὐτοῖς ἅμα δικάζειν, “ἀλλ' ὁ μὲν βασιλεὺς” καθῆστο παρὰ τῷ καλούμενῳ βουκολεῖῳ, τὸ δὲ ἦν “πλησίον τοῦ πρυτανείου,” “ὁ δὲ πολέμαρχος” ἐν Λυκείῳ καὶ οἱ ἄρχων παρὰ τοὺς ἐπωνύμους, οἱ δὲ (om. Suidas) θεσμοθεταὶ παρὰ τὸ θεσμοθέσιον. κύριοί τε ἦσαν ὥστε “τὰς δίκας αὐτοτελεῖς” ποιεῖσθαι, ὕστερον δὲ Σόλωνος οὐδὲν ἕτερον αὐτοῖς τελεῖται ἢ μόνον ἀνακρίνουσι (ὑποκρ. Suid., ἀνακρ. Pearson et Matthiae) τοὺς ἀντιδίκους.

gether. They were, however, equally precluded from doing this in the times better known to us, and the statement must therefore be based on some kind of misapprehension.' It was also noticed that, before the time of Solon, the archon could not have had his official residence παρὰ τοὺς ἐπωνύμους, as the statues of the ἐπώνυμοι, or national heroes that gave their names to the ten Attic tribes, could not have existed before the institution of those tribes by Cleisthenes (508 B.C.). Hence it was inferred by K. F. Hermann (*Gr. Staatsalt.*, p. 407, note 14) that the information referred to the post-Solonian time. But at that time the official residence of the Archon-Basileus was the *Stoa Basileios*, not the *Basileion*. Accordingly it was suggested by Wecklein (*Monatsber. der München. Akad.*, 1873, 5, 38) that the *Basileion*, which he supposed was the residence of the φύλο-βασιλεῖς, had been confounded with that of the Archon-Basileus.

We now see that the main source of the information, so far as it is correct, was the present passage. The information really refers to the time before Solon; but the lexicographers commit an anachronism, for which they are themselves responsible, in placing the office of the archon near the *Eponymy*, instead of in the *Prytaneum*, in the neighbourhood of which the statues of the *Eponymy* were afterwards set up.

Βουκολεῖον] We are here told that the official residence of the Archon-Basileus was the building which, in the time of the writer, was called the βουκολεῖον. This explains the otherwise obscure passage quoted in Athenaeus, p. 235, from the law relating to the Archon-Basileus: τοὺς δὲ παρασίτους ἐκ τῆς βουκολίας ἐκλέγειν ἐκ τοῦ μέρους τοῦ ἐαντῶν ἐκτὲα κριθῶν κτλ. In Telfy's *Corpus Iuris Attici* § 358 the words ἐκ τῆς (or ἐκτὸς) βουκολίας are strangely rendered *absque dolo*. It is now, however, clear that they must refer to the residence of the Archon-Basileus

and are used in the same sense as ἐκ τοῦ βουκολεῖον, which was perhaps the original reading.

The βουκολεῖον is possibly connected with the βουζύγιον, or field of sacred ox-ploughing, described by Plutarch (*Coniugalia Praecepta*, xlii) as below the Acropolis: Ἀθηναῖοι τρεῖς ἀρότους ἱεροὺς ἄγουσι...τρίτον ὑπὸ πύλῳ τὸν καλούμενον βουζύγιον (Miss Harrison, *Mythology and Monuments of Ancient Athens*, p. 166). It has been suggested that a black-figured vase-painting on a *hydria* in the Berlin Museum, where an ox is standing within a small Doric shrine, not bound as for sacrifice, but free and stately, is a representation of the sacred ox in his βουκολεῖον, whether it be the building below the Acropolis or some other shrine of Ζεὺς Πολιεὺς (*ib.* p. 428). It is more probable, however, that the βουκολεῖον was connected with the worship of Dionysus, who was often represented in the form of an ox (cf. Eur. *Bacchae*, 100, 920—922, 1017, 1159). There was a play of Cratinus called the Βουκόλοι, which began with a dithyramb, and it has been inferred from Aristoph. *Vesp.* 10, τὸν αὐτὸν ἄρ' ἐμοὶ βουκολεῖς Σαβάζον; that the votaries of the Thracian Dionysus, ὁ ταυρόμορφος, were called βουκόλοι (O. Crusius, in *Philologus*, xlvii 34). It will be observed that in the text the βουκολεῖον is mentioned in connexion with Dionysus. Curtius is content to regard it as having been in primitive times a royal farmhouse, including a slaughter-house for the royal sacrifices (*Stadtgeschichte von Athen*, 1891, p. 51).

πρυτανεῖον] The position of the *Prytaneion* is disputed, and it is sometimes supposed that there was more than one building of the name. Pausanias tells us (i 18 § 3) that near the *Agraulion* is 'the *Prytaneion*, in which are inscribed the laws of Solon.' By this is probably meant the original *Prytaneion*, the centre of the ancient city and the site of the hearth of the state. This *Prytaneion* was probably

τῆς τοῦ βασιλέως γυναικὸς ἢ σύμμειξις ἐνταῦθα γίγνεται τῷ Διονύσῳ καὶ ὁ γάμος), ὁ δὲ ἄρχων τὸ πρυτανεῖον, ὁ δὲ πολέμαρχος τὸ Ἐπιλύκειον· ὁ πρότερον μὲν ἐκαλεῖτο πολέμαρχεῖον, ἐπεὶ δὲ Ἐπιλύκος ἀνφοδόμησε καὶ κατεσκεύασεν αὐτὸ πολεμα[ρχή]σας,
30 Ἐπιλύκειον ἐκλήθη· θεσμοθεταὶ δ' εἶχον τὸ θεσμοθετεῖον. ἐπὶ δὲ

26 ΣΥΜΜΙΞΙΣ σύμμειξις K-W, H-L, K³, coll. Meisterhans, p. 144². ΓΙΝΕΤΑΙ (K-W). 27 καὶ ὁ γάμος delet Rutherford (H-L). 28 ΕΠΙΛΥΚΙΟΝ: -ειον K etc. 29 πολεμα[ρχών] H-L, invita papyro.

TESTIM. 26 Hesych. Διονύσου γάμος: τῆς τοῦ βασιλέως γυναικὸς καὶ θεοῦ γίγνεται γάμος. 28 Hesych. Ἐπιλύκ(ε)ιον (cod. ἐπιλύκιον): ἀρχεῖον τοῦ πολεμάρχου Ἀθήνησιν.

a little to the east of the ground beneath the northern, or north-eastern, cliff of the Acropolis, somewhat high up the slope (Miss Harrison, *l. c.*, p. 165). Before reaching it Pausanias had seen (i 5 § 1) the statues of the ἐπάνωμοι 'above the Bouleuterion' or Council Chamber of the Five Hundred. Near the latter he sees 'what is called the Θόλος, where the Prytanes offer sacrifice.' It was apparently for this reason that the Θόλος was sometimes called the πρυτανεῖον, *c. g.* in Schol. on Aristoph. *Pax* 1183, τόπος Ἀθήνησιν παρὰ πρυτανεῖον ἐν ᾧ ἐστήκασιν ἀνδριάντες οὓς ἐπάνωμους καλοῦσιν (*ib.* p. 171 note 106). Curtius places the original Prytaneion in the Old Agora which, according to his view, was S. of the Acropolis; he recognises a second Prytaneion in the Tholos situated in the Agora of the Cerameicus; while he regards the Prytaneion of Pausanias, on the northern slope of the Acropolis, as a building belonging to Roman times (*Stadtgeschichte*, p. 302). Wachsmuth (*Stadi Athen*, i 465) accepts the Prytaneion of Pausanias as the original building and regards the Tholos in the Cerameicus as a 'dépendance' in which the Prytanes had their public meals in the democratic days of Athens. Round the original Prytaneion rose the official residences of an earlier age. First among these was the βασιλεῖον, or official residence of the kings, which may be identified with the building in which the four φυλοβασιλεῖς performed their religious rites (Pollux viii 111, ἐν τῷ βασιλεῖῳ τῷ παρὰ τὸ βουκολεῖον) and with the residence of the Archon-Basileus (Wachsmuth, p. 468). See also Busolt, i 407 note 4.

ἐτι καὶ—γάμος] Either on the second day of the Anthesteria at the beginning of March, or at the Greater Dionysia at the end of that month, there was a procession representing the entry of Dionysus Ἐλευθερεὺς 'from without the city into

the little temple of the Cerameicus,' 'and his incorporation into the city by union with the noblest woman of the land, the wife of the king.' On this occasion the Basilinna was accompanied by fourteen venerable priestesses, and was solemnly and secretly betrothed to the god. In the temple in Limnae she administered a vow to the priestesses, offered a mystic sacrifice, wherein she prayed for all blessings for the state, and then remained for the night in the interior of the temple. Cf. [Dem.] *c. Neaeram*, §§ 74—78, and Mommsen's *Heortologie*, pp. 358—360, quoted by Mr Purser on *Dionysia* in Smith, *Dict. Ant.* i 639 a. The passage in the *c. Neaeram* § 76 speaks of the law relating to the βασιλῖνα as inscribed on a tablet in the temple of Dionysus ἐν Λίμναις opened only once a year on the second day of the Anthesteria. It also describes her as τὴν θεῶν γυναικα δοθησομένην, but says nothing of her spending the night in the temple.

Ἐπιλύκειον] Suidas, *s. v.* ἄρχων, describes the official residence of the Polemarch as ἐν Λυκείῳ, and accordingly it is generally held that 'the Polemarch had his office outside the walls, but quite close to the city, beside the Lyceum, a shrine consecrated to Apollo and frequently mentioned on account of a gymnasium existing there' (Schömann, *Antiquities*, p. 412 E. T.; see also Curtius, *Stadtgeschichte*, p. 58). The office was doubtless ἐπὶ Λυκείῳ (not ἐν Λυκείῳ), and this is what is meant by the name Ἐπιλύκειον. This is far more probable than the story about the 'polemarch Epilycus,' which is justly rejected by Mr Kenyon.

θεσμοθετεῖον] Suidas, *s. v.* ἄρχων, on the authority doubtless of the present passage, says that the θεσμοθεταὶ held their court παρὰ τὸ θεσμοθέσιον (Bekker, *Anecd.* 449, 23, παρὰ τὸ θεσμοθέσιον). Cf. Hyperides, *Eux.* xxii, θεσμοθετῶν συνέδριον. It was there also that they dined at the public expense: Schol. Plato, *Phaedr.* 235 D,

Σόλωνος ἄ[π]αντες εἰς τὸ θεσμοθετεῖον συνήλθον. κύριοι δ' ἦσαν καὶ τὰς δίκας αὐτοτελεῖς [κρίν]ειν, καὶ οὐχ ὥσπερ νῦν προανακρίνειν. τὰ μὲν οὖν [περὶ] τὰς ἀρχὰς τοῦτον εἶχε τὸν τρόπον. 34 ἢ δὲ τῶν Ἀρεοπαγιτῶν βουλὴ τὴν μὲν τάξιν εἶχε τοῦ διατηρεῖν 34

32 αὐτοτελ[ῶς] J B Mayor (H-L).

34, 38 ἀρεοπαγεῖτ

οἱ δὲ θεσμοθέται ἔξ εἰσι τὸν ἀριθμὸν, ἀφ' ὧν καὶ ὁ τόπος, ὅπου συνήσαν καὶ ἐσιτοῦντο, θεμίστιον (*leg. θεσμοθέσιον νεὲ θεσμοθετεῖον*) ἐκαλεῖτο. Its position is unknown, but it was not improbably near the *πρυτανεῖον*, though there is nothing to prevent its being placed in the *ἀγορά*, as (from the very first) the *θεσμοθέται* had judicial duties to discharge. Köhler conjectures that it was near the *βουλευτήριον*, but the evidence for this is inconclusive (Wachsmuth, *l. c.* i p. 482—3, ii 353—4).

ἐπὶ δὲ Σόλωνος—συνήλθον] Diog. Laert. i 58 (of Solon), καὶ πρῶτος τὴν συναγωγὴν τῶν ἐννέα ἀρχόντων ἐποίησεν, εἰς τὸ συνεπεῖν, ὡς Ἀπολλοδώρος φησιν ἐν δευτέρῳ περὶ νομοθετῶν. The text confirms the conjecture of Schömann (*Ant.*, p. 412 E. T.) that the 'Thesmothesium' was used by the whole board of the nine archons. It also favours the view that as early as the time of Solon all the nine archons were called *Thesmothetae* (K. F. Hermann, *Staatsalt.* § 138, n. 3, and Bergk in *Rheinisches Museum* xiii 449, quoted by Wachsmuth, *l. c.*, ii 354).

αὐτοτελεῖς κρίνειν] c. 53 § 2.

κρίνειν...προανακρίνειν] *Pol.* 1298 a 31, τέταρτος δὲ τρόπος τὸ πάντας περὶ πάντων βουλευέσθαι συνιόντας, τὰς δ' ἀρχὰς περὶ μηδενὸς κρίνειν ἀλλὰ μόνον προανακρίνειν, ὅνπερ ἡ τελευταία δημοκρατία νῦν διοικεῖται τρόπον. This is in favour of κρίνειν, as against ποιεῖν (suggested by Suidas).—In the later and better-known times of Athenian law, we find these archons deprived in great measure of their powers of judging and deciding, and restricted to the task of first hearing the parties and collecting the evidence; next, of introducing the matter for trial into the appropriate *dikastery*, over which they presided' (Grote, *H. G.* chap. 10, ii 283 ed. 1862).

§ 6. ἡ τῶν Ἀρεοπαγιτῶν βουλὴ] The first establishment of the senate of Areopagus is sometimes ascribed to Solon. Thus Plutarch, *Sol.* 19 *init.*, says of Solon *συστατῶμενος τὴν ἐν Ἀρείῳ πάγῳ βουλήν ἐκ τῶν κατ' ἐναντιὸν ἀρχόντων*. But in *Ar. Pol.* ii 12 1274 a, it is stated that the Council of the Areopagus was already in existence: *εἴκοι δὲ Σόλων ἐκείνα μὲν*

ὑπάρχοντα πρότερον οὐ λύσαι, τὴν τε βουλήν καὶ τὴν τῶν ἀρχῶν αἵρεσιν. On the other hand, Cicero, *de Off.* i 22 § 75, speaks of it as the *senatus, qui a Solone erat constitutus*; and Pollux, viii 125, describes it as established by Solon as a tribunal of homicide, in addition to that of the Ephetae. 'But there can be little doubt' says Grote, ii p. 281, 'that this is a mistake, and that the senate of Areopagus is a primordial institution, of immemorial antiquity, though its constitution as well as its functions underwent many changes. It stood at first alone as a permanent and collegiate authority, originally by the side of the Kings and afterwards by the side of the archons. It would then of course be known by the title of *The Boulé*—*The senate or council*; its distinctive title, "*Senate of Areopagus*" (borrowed from the place where its sittings were held), would not be bestowed until the formation by Solon of the second senate or council, from which there was need to discriminate it.' The Areopagus appears to represent the Homeric *βουλὴ γερόντων* (Meier and Schömann p. 10), and is probably as early as the time of the Attic kings; but, if so, its number must have been very limited. By modern writers its number is sometimes supposed to have been either 300 (Schömann, *Jahrb. f. kl. Philol.* 1875, p. 154, Hermann, *Staatsalt.* § 102, 17, Lange, *Ephet. u. Areop.* p. 27, Duncker, *Gesch. des Alterth.* v 473 = *H. G.* ii 141 E. T.); or 360, representing the 360 *γένη* (Philippi, *Areop. u. Epheten*, p. 206); or 60, *i.e.* 15 nominated by each of the four tribes, and including the 9 archons, the remaining 51 being those known as the Ephetae (Busolt, i 418). As soon as it became customary for the archons to be added to the Areopagus at the end of their year of office, the number would cease to be fixed; but we do not know at what time this method of recruiting the Areopagus was first adopted. Mr Kenyon suggests that 'the automatic process of forming it from all ex-archons was probably put into operation from the date of the establishment of the annual archonship.'

τὴν μὲν τάξιν κατλ.] This confirms Grote's statement that 'the functions of

35 τοὺς νόμους, διώκει δὲ τὰ πλεῖστα καὶ τὰ μέγιστα τῶν ἐν τῇ πόλει, καὶ κολάζουσα καὶ ζημ[ιο]ῦσα πάντας τοὺς ἀκοσμοῦντας κυρίως. ἡ γὰρ αἵρεσις τῶν ἀρχόντων ἀριστίνδην καὶ πλουτίνδην ἦν, ἐξ ὧν οἱ Ἀρεοπαγῖται καθίσταντο. διὸ καὶ μόνῃ τῶν ἀρχῶν αὕτη μεμένηκε διὰ βίου καὶ νῦν.

4. ἡ μὲν οὖν πρώτη πολιτεία ταύτην εἶ[ε]χε τὴν ὑπο[γρα]φήν. μετὰ δὲ ταῦτα, χρόνου τινὸς οὐ πολλοῦ διελθόντος, ἐπ' Ἀρι-

36 καὶ κολάζουσα : καὶ delet Gennadios (H-L).
ante ἡ γὰρ aliquid excidisse putat Keil.

37 γὰρ : δὲ mavult Gennadios,

the Areopagus were originally of the widest senatorial character, directive generally as well as judicial.' With the context, cf. Isocr. *Areop.* § 37, τὴν ἐξ Ἀρείου πάγου βουλὴν ἐπέστησαν ἐπιμελεῖσθαι τῆς εὐκοσμίας, ἥς οὐχ οἶον τ' ἦν μετασχεῖν πλὴν τοῖς καλῶς γεγενοῦσι καὶ πολλὴν ἀρετὴν ἐν τῷ βίῳ καὶ σωφροσύνην ἐνδεδειγμένοις, and §§ 30—55, esp. § 46, τοὺς ἀκοσμοῦντας ἀνήγον εἰς τὴν βουλὴν. Athen. iv 19 p. 168 A: ὅτι δὲ τοὺς ἀσώτους καὶ τοὺς μὴ ἐκ τιῶς περιουσίας ζῶντας τὸ παλαιὸν ἀνεκαλοῦντο οἱ Ἀρεοπαγῖται καὶ ἐκόλαζον, ἰστόρησαν Φανόδημος καὶ Φιλόχορος (FHG i 394, cf. 387, 17).

διατηρεῖν τοὺς νόμους] Aeschin. 3 § 6, δταν διατηρηθῶσιν οἱ νόμοι τῇ πόλει, σφάζεται καὶ ἡ δημοκρατία.

γὰρ] The Areopagus was entrusted with all these powers, because it consisted of archons who had themselves been elected under special qualifications of birth and wealth.

The constitution of the Areopagus is the subject of a fragment of Philochorus (frag. 58 in Müller's *Frag. Hist. Gr.*, i 394): ἐκ γὰρ τῶν ἐννέα καθισταμένων ἀρχόντων Ἀθήνησι τοὺς Ἀρεοπαγίτας ἔδει συνεστάναι δικαστάς, ὡς φησιν Ἀνδρότιων ἐν δευτέρᾳ τῶν Ἀτθίδων ὕστερον δὲ πλειόνων γέγονεν ἡ ἐξ Ἀρείου πάγου βουλὴ· τοῦτέστιν ἐξ ἀνδρῶν περιφανεστέρων πενήτηκοντα καὶ ἐνός (this implies an identification of the Ephetae and the Areopagus). οὐ παντὸς ἀνδρὸς ἦν εἰς τὴν ἐξ Ἀρείου πάγου βουλὴν τελεῖν ἄλλ' οἱ παρ' Ἀθηναίους πρωτεύοντες ἐν τε γένει καὶ πλούτῳ καὶ βίῳ χρηστώ, ὡς ἰστορεῖ Φιλόχορος διὰ τῆς τριτῆς τῶν αὐτῶν Ἀτθίδων.

διὸ—καὶ νῦν] 'This is also the reason why it is the only office which has continued to be held for life down to the present day.' For διὰ βίου, cf. 2 § 1.

IV. The Draconian Constitution.

τὴν ὑπογραφὴν] 'outline', 'sketch'. Ar. de Gen. Anim. ii 6, 743 b 20—25,

esp. οἱ γραφεῖς ὑπογράφαντες ταῖς γραμμαῖς οὕτως ἐναλείφουσι τοῖς χρώμασι τὸ ζῶον. De Anima, ii 1, 413 a 10, τύπω .. ταύτη διωρίσθω καὶ ὑπογεγράφθω περὶ ψυχῆς. Pol. ii 5, 1263 a 31, ἔστιν ἐν ἐνταῖς πόλεσιν οὕτως ὑπογεγραμμένον.

χρόνου—διελθόντος] A vague note of time, the event from which the writer reckons being apparently the affair of Cylon and its more immediate consequences (c. 1).

Ἀρισταίχμου ἀρχοντος] The name of this archon (Ἀρίσταρχος) is now known for the first time. It follows that Dracon was not the ἀρχὼν ἐπώνυμος of the year, as has been sometimes supposed (e.g. Busolt, i 510). Cf. Pausanias, ix 36 § 8, Δράκοντος Ἀθηναῖος θεσμοθετήσαντος ἐκ τῶν ἐκείνου κατέστη νόμων, οὓς ἔγραφεν ἐπὶ τῆς ἀρχῆς, ἄλλων τε ὁπόσων ἄδειαν εἶναι χρῆ, καὶ δὴ καὶ τιμωρίας μοιχοῦ. It may fairly be assumed that he was one of the θεσμοθέται, in the narrower sense of the term. Hence Grote is right in describing him as 'the thesmothet Drako.' His legislation may be assigned to B.C. 621 (Clinton's *Fasti*, sub anno; Busolt, i 510).

θεσμούς ἐθηκεν] This confirms the view that he was one of the θεσμοθέται at the time. θεσμοί was the term generally applied to the laws of Dracon: Andocides, de Myst. § 81, χρῆσθαι τοῖς Σόλωνος νόμοις καὶ τοῖς Δράκοντος θεσμοῖς. But even the laws of Solon were by himself called θεσμοί. Plutarch, Sol. 19, quotes from one of them the words ὅτε θεσμός ἐφάνη ὁδε, and the word occurs in his own poems c. 12 § 4, line 18, θεσμοὺς... ἔγραψα. The same ancient term was preserved in the oath of the περίπολοι in Pollux viii 106, καὶ τοῖς θεσμοῖς τοῖς ἰδρυμένοις πείσσομαι, which in later Greek would have been expressed τοῖς νόμοις τοῖς κειμένοις (cf. Grote, c. 10, ii p. 283, note).

§ 2. ἡ δὲ τάξις κτλ.] To identify the τάξις, or constitution, with the θεσμοί, or

στοιχείου ἀρχοντος Δρά[κω]ν τοὺς θεσμοὺς ἔθηκεν· ἡ δὲ τάξις 2

legislation, is inconsistent with the distinction drawn by Aristotle in *Pol.* 1289 a 15, *πολιτεία μὲν γὰρ ἐστὶ τάξις ταῖς πόλεσιν ἡ περὶ τὰς ἀρχάς... νόμοι δὲ κεχωρισμένοι τῶν δηλοῦντων τὴν πολιτείαν, καθ' οὓς δὲ τοὺς ἀρχοντας ἀρχεῖν κτλ.* Cf. also 1286 a 3. This distinction is maintained in cc. 7 and 9, but not in c. 34. The term *θεσμοί* has a distinctive meaning and can only refer to a code, not to a constitution (*Class. Rev.* v 167 a).

Dracon has hitherto been recognised as a legislator alone. There is a well-known passage respecting him in *Ar. Pol.* ii 12, p. 1274 b 15, *Δράκοντος δὲ νόμοι μὲν εἰσι, πολιτεία δ' ὑπαρχούση τοὺς νόμους ἔθηκεν κτλ.* This passage, which describes Dracon as adapting his laws to a constitution already in existence, is inconsistent with the present chapter, which almost ignores the legislation of Dracon and represents him as the framer of a constitution.

The passage in question comes from a chapter which, in the opinion of Zeller, Sussemlil and other Aristotelian scholars, has suffered from considerable interpolation. Thus Mr W. L. Newman conjectures 'that Aristotle may have left only the fragment about Solon and a few rough data for insertion after the notice of the Carthaginian constitution, and that some member of the school, not very long after his death, completed them as best he could' (Newman's ed. ii 373, 377). Accordingly it is possible that the passage about Dracon in the *Politics* was not written by Aristotle himself.

In *Rhet.* ii 23 § 29, 1400 b 21, *Ar.* quotes Herodicus (the physician) as saying of Dracon (ὁ νομοθέτης), *ὅτι οὐκ ἀνθρώπου οἱ νόμοι ἀλλὰ δράκοντος· χαλεποὶ γάρ.* Of the actual legislation of Dracon little is known, since his laws (with the exception of those on homicide) were repealed by Solon (c. 7 § 1 *πλὴν τῶν φονικῶν* and *Plut. Sol.* 17 there quoted). This is possibly a sufficient reason for the absence of any reference to it in the constitutional part of this treatise, except in the words *τοὺς θεσμοὺς ἔθηκε.* All that survived is sufficiently described in the second part of the work, in the account of the procedure in cases of homicide (c. 57).

According to the text the main points in the constitution of Dracon's time are (1) a hoplitic franchise, already in existence; (2) those who had this franchise elected the Archons, the *Tamiae*, the *Strategi*, the *Hipparchi* and the *Prytanes* (unless, indeed, these are identical with

the Archons) from among those who were duly qualified by a property-qualification. (3) A Council of 401, elected by lot from among those who had the franchise, and were over 30 years of age. The same limitation held good for other offices filled by casting lots, and no one was to hold office twice till every one else had had his turn. (4) Members of the Council were fined for not attending meetings of the Council or Assembly, and the fine varied with their status.

This 'Draconian constitution' has, not unnaturally, been viewed with suspicion. It tells us of a Council of 401, of which we never hear elsewhere, and (which is more serious) of certain property-qualifications which have hitherto been regarded as part of the subsequent legislation of Solon, and which the author himself minutely describes in connexion with Solon (c. 7). A writer in the *Athenaeum*, 1891, p. 435 b, denounces it as 'the amazing Draconian constitution.' It has also been attacked by Weil (*Journal des Savants*, Avril, 1891), and Cauer; also by Mr Macan in the *Journ. of Hellenic Studies*, April, 1891, pp. 24, 27, and in detail by Mr J. W. Headlam in an article in the *Class. Rev.*, v 166—168; followed by valuable criticisms by Mr E. S. Thompson, *ib.* p. 336, and by M. Théodore Reinach in the *Revue Critique*, p. 143—5.

Mr Headlam's main points are these: (1) No other writer knows anything of a constitution attributed to Dracon. Plutarch, when speaking of the *θεσμοί* of Dracon, mentions nothing but a code of law. (2) Other passages in the *πολιτεία* itself support the view taken by Plutarch and in the *Politics*. (a) In chap. vii the writer speaks of the *θεσμοί* of Dracon in connexion with the new code of laws made by Solon, but makes no reference to Dracon in speaking of the constitutional innovations of Solon. (b) The recapitulation in c. 41 states that the characteristic feature of Dracon's legislation was the publication of the law. This is inconsistent with chap. 4 and its very remarkable constitution. (3) Among the provisions of the constitution at least one could not possibly have been devised in Dracon's time, the property-qualification for the archonship being expressed in terms of money that probably belong to a later age; nearly all of them are very difficult to reconcile with what we know of the state of Athens at the time; and several of them inconsistent with other

αὕτη τόνδε τὸν τρόπον εἶχε. ἀπεδέδοτο μὲν ἡ πολιτεία τοῖς ὄπλα
 5 παρεχομένοις· ἤρουντο δὲ τοὺς μὲν ἐννέα ἄρχοντας [καὶ τ]οὺς
 [τ]αμίας οὐσίαν κεκτημένους οὐκ ἐλάττω δέκα μνῶν ἐλευθέραν,

IV 4 ΔΥΤ' (= αὐτῆς): correx. K. μὲν per compendium, ut videtur, scriptum
 (K-W, K³, B): mihi quidem Δ' (δὲ) potius quam Μ' (μὲν) videtur scriptum: om. H-L.
 5 ΔΡΧΟΝΤΕΣ 6 ἔλαττον ἢ K-W. ΔΕΚΑ: ἐκατὸν Thompson; διακοσίων
 Weil (*Journal des Savants*, p. 10); 'maiores censum nemo non expectet' H-L.

statements in this book. (4) None of the provisions, some of them very remarkable, are ever quoted by later writers. (5) The whole constitution is exactly like those afterwards described in connexion with the aristocratic revolutions in 411. The details connected with the above criticism will be noticed as they occur in the following notes.

Dr P. Meyer (*Des Aristoteles Politik und die 'Aθηναίων πολιτεία*, pp. 31—44) regards the passage in the *Politics* and the present chapter as, both of them, equally genuine, and vainly endeavours to reconcile the two. He holds that the 'Draconian constitution' does not differ materially from the constitution which preceded it, the *ἀρχαία πολιτεία* of c. 3. If so, the writer of the present chapter has not succeeded in making the points of resemblance clear. The 'Draconian constitution' is defended with greater success by Prof. Gomperz (*Die Schrift vom Staatswesen der Athener*, p. 43). He holds that, in distributing the citizens of Attica into four classes, Solon availed himself of existing social divisions, and gave them a new definition. This may hold good in the case of the *ἱππεῖς*, the *γεωῖται* and the *θῆτες*. But it is difficult to accept it in the case of the *πεντακοσιομέδιμμοι*. The term is used without any explanation in the present chapter; but, in the description of Solon's constitution, it is defined with precision as though it were then used for the first time. One would be glad to believe with Mr Kenyon, in his note on this chapter, p. 13 ed. 3, that 'a sober historical judgment will probably in the end find its statements not so startling as they at first appear'; but at present the contents of the greater part of the chapter seem to require the most careful scrutiny before they can be finally accepted.

Considerations in favour of the account are urged by Busolt, in *Philol.* 1891, vol. 50, pp. 393—400. He points out that the Pseudoplatonic *Axiarchus*, which has several points of contact with this treatise (cf. c. 18 § 1, 34 § 1, 42 § 2), uses the phrase

ἐπὶ τῆς Δράκοντος ἢ Κλεισθέους πολιτείας (p. 365). While admitting the coincidences with the oligarchical constitutions of 411, he holds that the oligarchs professed to aim at the restoration of the *πάτριος πολιτεία*, which may fairly be identified with the pre-Solonian constitution. (1) The term *πεντακοσιομέδιμμος* must originally have referred to measures of corn: Solon extended its meaning to measures of wine and oil, and gave it a different value by changing the standard. (2) Fines in money may have been exacted by the State at a time when private transactions were settled by the transfer of oxen. (3) We know little of the early history of the *στρατηγία*, but it is possible that the fears inspired by the affair of Cylon may have led the aristocracy to limit the authority of the polemarch by means of four *στρατηγοί* appointed from the wealthier class.

ἀπεδέδοτο κτλ.] not ἀπεδόθη. The tense implies that the franchise had already been given and that this was not part of the alleged constitution of Dracon. This point is brought out by Mr Poste who translates: 'Sovereign power was already wielded by the class of persons capable of providing its own equipment for war.' He adds in a note: 'This agrees with the statement of Aristotle, *Pol.* ii 12, that Dracon made no change in the constitution. The revolution had already taken place. Dracon's task was to adjust the laws to the changed centre of political power.' Mr Kenyon's rendering is here less exact: 'The franchise was given &c.' (see, however, *Class. Rev.* v 467 b).—The same kind of franchise is to be found in the constitution proposed by the party of Theramenes in 411, c. 33 at end, Thuc. viii 97, and Xen. *Hell.* ii 3 (*Class. Rev.* v 168 a).

δέκα μνῶν] We have to notice (1) the nature, no less than (2) the amount of the property-qualification required of archons.

(1) At this time property was reckoned not in money but in corn. Now, the qualification of a *γεωῖτης* was to possess land capable of producing 200 *μέδιμμοι*: a

[Col. 2.] τὰς δ' ἄλλας ἀρχὰς || <τὰς> ἐλάττους ἐκ τῶν ὅπλα παρεχ[ομένων], στρατηγοὺς δὲ καὶ ἱππάρχους οὐσίαν ἀποφαίνοντας οὐκ ἐλάττον ἢ ἐκατὸν μυνῶν ἐλευθέραν καὶ παῖδας ἐ[κ] γαμετῆς γυναικὸς γησιόους ὑπὲρ δέκα ἔτη γεγονότας· τοὺτους δ' ἔδει διε[γγυ]ᾶ[σθαι] τοὺς 10 πρυτάνεις καὶ τοὺς στρατηγοὺς καὶ τοὺς ἱππάρχους τοὺς ἔνους

7 <τὰς> ἐλάττους Richards, Blass, K-W, H-L, K³. Dobr. Adv. in Thuc. ii 13: ἐλάττον' olim κ.

8 ἐλάττον Marchant coll. 9 ἢ ἐκατὸν in ἑκαστον ἢ (= ὀκτώ) mutabat Marindin (Smith, *Dict. Ant.* ii 1071 b). ἢ delet Thompson, utpote ex numerali η (= ἐκατὸν) natum. ΕΛΕΥΘΕΡΩΝ: corr. Wyse etc. 10 Δ' Δι (supra scr. Δει)... δ' ἔδει διατρεῖν H-L; διεγγυᾶν Schulthess deletis verbis καὶ τοὺς στρατηγοὺς καὶ τοὺς ἱππάρχους; δι.....K-W; δ' ἔδει διεγγυᾶσθαι K³, B. 11 τοῦ γένους K¹: τοὺς ἔνους Paton et van Leeuwen (edd.), quod et in papyro scriptum et unice verum est, cf. [Dem.] 25 § 20 τὰς ἑνας ἀρχὰς ταῖς νέαις ἐκούσας ὑπεξίεναι, et Ar. *Pol.* 1322 a 11 τὰς τῶν ἑνῶν (Scaliger) μᾶλλον τὰς νέας (ἀρχάς).

μέδιμνος of corn was worth at this time about a drachma (Plut. *Sol.* 23). Land of this extent must thus have been worth not less than 2000 drachmas. According to this, men were eligible to the archonship who were excluded by Solon from all office (*Class. Rev.* v 167 b).

(2) In the constitution described in c. 29, the archons and prytanes alone were to receive pay, 2 obols a day, implying that no high property-qualification was required. The comparatively high qualification for the generals, 100 minae (if the text is sound), would be natural in 411 but not in 621 (*ib.* 168 a).

Busolt, however, points out that the two qualifications of 100 and of 10 minae respectively correspond to the relative values of gold and silver in ancient times, 10:1. He supposes that a piece of land valued at 1000 Aeginetan drachmae might produce a return of 120—130 Aeginetan or 166—180 Attic drachmae; and if we assume that in those early days, when money was scarcer than in Solon's time, a medimnus was worth only 2 to 3 Aeginetan obols, the yearly produce would be from 360 (or 390) to 250 medimni. This would correspond to the census of a ἱππεὺς under the Solonian constitution (*Philol.* 1891, pp. 393—400).

l. 6. ἐλευθέραν, 'unencumbered.' Isaeus 10 § 17, ὁ μὲν κληρὸς ἐλεύθερος ἦν, contrasted with ὑπόχρεως. Dem. 35 § 21, ὑποτιθέασιν ταῦτ' ἐλεύθερα, and § 22, ἐπ' ἐλευθέροις τοῖς χρήμασι δανειζόμενοι. Dittenberger, *Sylloge*, no. 344, 38; 294, 10; 126, 20, 28. Cf. c. 12, 34.

l. 8. στρατηγοὺς] It is urged by Mr Headlam that (a) We have no other record of στρατηγοὶ at this time: in the list in c. vii § 3 they are not mentioned. (b) The clause about their children is entirely

new. (c) If there were such officers, they held an inferior position, and the comparatively high property-qualification is unaccountable (*Class. Rev.* 167 b). Qualifications of a similar character may, however, be noticed at a much later date, in Deinarchus, *contr. Dem.*, § 71, τοὺς νόμους προλέγειν τῷ ῥήτορι καὶ τῷ στρατηγῷ (τῷ) τὴν παρὰ τοῦ δήμου πίστιν ἀξιούντι λαμβάνειν, παιδοποιεῖσθαι κατὰ τοὺς νόμους, γῆν ἐν τῷ ὄρωι κεκτῆσθαι, πάσας τὰς δικαίας πίστεις παρακαταθέμενον, οὕτως ἀξιόιν προσεσθάναι τοῦ δήμου.

διεγγυᾶσθαι] If this is the right reading, it must presumably be rendered 'should have security given on their behalf.' The accepted meaning of the word in the passive is 'to be bailed' by any one, e.g. Thuc. iii 70, ὀκτακοσίῳν ταλάντων τοῖς προξένοις διηγγυημένοι.

τοὺς πρυτάνεις] Here mentioned for the first time, whereas the form of the sentence (so far as the text is sound) implies they have already been referred to. If so, they must either be included among the ἄλλας ἀρχὰς τὰς ἐλάττους, or they are identical with the ἐννέα ἀρχόντες. As to the latter alternative, it is probable that up to the time of Solon the archons were called πρυτάνεις. This is inferred by Busolt, i 408, from the term for court-fees, πρυτανεία, which cannot be explained with the help of anything in the post-Solonian constitution, and from the analogy of Greek states in Asia, where the king was succeeded by a πρύτανις. It will be remembered that the official residence of the Archon was the πρυτανεῖον, c. 3 § 5. This appears better than identifying them with 'the president of the Council and Assembly in later days.'

μέχρι εὐθυνων, ἐγγυητὰς τέτταρας ἐκ τοῦ αὐτοῦ τέλους *παρασχο-
 μένους οὐπερ οἱ στρατηγοὶ καὶ οἱ ἵππαρχοι. βουλευεῖν δὲ τετρακο- 3
 σίους καὶ ἓνα τοὺς λαχόντας ἐκ τῆς πολιτείας· κληροῦσθαι δὲ καὶ ταύ-
 15 την καὶ τὰς ἄλλας ἀρχὰς τοὺς ὑπὲρ τριάκοντα ἔτη γεγονότας, καὶ δις
 τὸν αὐτὸν μὴ ἄρχειν πρὸ τοῦ πάντας *[δι]ελθεῖν· τότε δὲ πάλ[ιν] ἐξ

12 εἴρη... τας ἐγγυητὰς K³, K-W, B; ἐπιμελητὰς H-L. δ' K¹; δ̄ (=τέτταρας) K-W, H-L etc. Δ' (?supra scr. οΔ?) χομ'ογς; δεχομένους K, K-W, H-L: παρεχομένους Rutherford, ἴπχομενογς fortasse volebat corrector; idem conicit Blass qui in ecyro πτε (supra scr. ογ=οὐπερ) χομενογς in πχομενογς correctum agnoscit.

15 ΤΡΙΑΚΟΝΘΕΤΗ.

16 περιελθεῖν K¹. Expectares potius aut eis πάντας περιελθεῖν aut διὰ πάντων διελθεῖν τὴν ἀρχήν: quod ad illud attinet, cf. Plut. Arist. 5 ὡς περιήλθεν εἰς αὐτὸν ἡ ἀρχή; quod ad hoc, Ar. Pol. 1298 a 17 et 1300 a 25 ἕως ἂν διελθῇ διὰ πάντων: etiam πάντας ἐξῆς λαχεῖν conicere in promptu est, coll. [Xen.] Rep. Ath. i 6 μὴ εἶν λέγειν πάντας ἐξῆς μηδὲ βουλευεῖν. ἐξελεθεῖν K-W, H-L, K³, B; διελθεῖν malui: praestaret διεξελεθεῖν (K-W²), sed spatium non sufficit.

μέχρι εὐθυνων] 'until the audit.' At Athens, according to the evidence of later times, all officials were ὑπεύθυνοι. Aeschin. Ctes. § 17, οὐδεὶς ἐστὶν ἀνυπεύθυνος τῶν καὶ ὁπωσοῦν πρὸς τὰ κοινὰ προσεληλυθότων.

παρασχομένους] Often used in middle with μάρτυρας, Pol. 1269 a 2, παρασχέσθαι πλήθος μαρτύρων, and Ant. 5 §§ 20, 22, 24, 28, 30, &c. Cf. Aeschin. c. Ctes. 199, συνηγόρους παρασχέσθαι. The usual verb with ἐγγυητὰς is καθιστάναι, Dem. 24 §§ 39, 40, 55, and esp. 144, ὅς ἂν ἐγγυητὰς τρεῖς καθιστῇ τὸ αὐτὸ τέλος τελούντας.

§ 3. βουλευεῖν] This is the only mention of a Draconian council of 401. In c. 8 we are told of Solon βουλήν δὲ ἐποίησε τετρακοσίους, i.e. 'he set up a council of 400.' Had the writer already mentioned a council of 401 he would probably have expressed himself differently in c. 8. The addition of the 'one' is a common device to prevent the votes being exactly equal. But it is a device mainly characteristic of later times, e.g. the δικαστήρια consisting of 501, or 1001, δικασταί. On the other hand, we have the 51 Ephetae who are generally ascribed to the time of Dracon.

ἐκ τῆς πολιτείας=ἐκ τῶν πολιτῶν.

κληροῦσθαι] the first mention of election by lot in this treatise. Hitherto, it has been generally agreed that, even in Solon's time, the Council was not appointed by lot, and this view is accepted by Thirlwall, Grote, Schömann (Antiq. p. 331 E. T.), and others. The introduction of the lot for this purpose has been usually ascribed to the time of Cleisthenes (508 B.C.). But the present passage implies that the use of the lot was as early as the time of Dracon. This, if true, sup-

ports the opinion of Fustel de Coulanges (la Cité Antique, p. 212—4, ed. 1883), that the lot is an institution of religious origin and therefore of great antiquity. See Mr J. W. Headlam's Election by Lot at Athens, esp. pp. 183—, and note on c. 8 § 1 infra.

ταύτην] τὴν ἀρχήν, sc. τὸ βουλευεῖν.

τὰς ἄλλας ἀρχὰς, exclusive of the Archons, Strategi and Hipparchi, already mentioned, but probably not exclusive of the ἄλλας ἀρχὰς τὰς ἐλάττους.

τριάκοντα ἔτη] This is the age at which an Athenian citizen could become a βουλευτής (Xen. Mem. i 2 § 35) or a δικαστής (c. 63 § 3, cf. document quoted in Dem. Timocr. 151, and Pollux, viii 122). It has already been inferred (Meier and Schömann, Att. Proc., p. 240 Lipsius) that the same requirement of age held good for other officials, the ἄλλαι ἀρχαὶ of the text. (The Ephetae and the public Envoys were, however, required to be 50 years of age; the Diaetetae 59.)

δις τὸν αὐτὸν μὴ ἄρχειν κτλ.] Pol. 1299 a 10, μὴ τὸν αὐτὸν δις ἄλλ' ἅπαξ μόνον (ἄρχειν) and 1317 b 23 τὸ μὴ δις τὸν αὐτὸν ἄρχειν μηδεμίαν ἢ ὀλίγας ἢ ὀλίγας ἕξω τῶν κατὰ πόλεμον. Of officials in general we read in Dem. Timocr. 150 (document quoted as ὅρκος ἡλιαστῶν) οὕτε δις τὴν αὐτὴν ἀρχὴν τὸν αὐτὸν ἄνδρα οὐτε δύο ἀρχὰς ἄρξει τὸν αὐτὸν ἐν τῷ αὐτῷ ἐνιαυτῷ. The same citizen could be a βουλευτής more than once, as is shewn by the case of Timarchus and that of Demosthenes (adv. Mid. 114 and Aeschin., F. L. 17); and is stated in c. 62 ad fin. It is doubted by Boeckh (Staatsl. ii 763) whether the same citizen could be a βουλευτής for two years in succession, but this is purely conjectural (Hermann's

ὑπαρχῆς κληροῦν. εἰ δέ τις τῶν βουλευτῶν, ὅταν ἔδρα βουλῆς ἢ ἐκκλησίας ᾗ, ἐκλείποι τὴν σύνοδον, ἀπέτινον ὁ μὲν πεντακοσιο- 18

18 ἐκλείποι H-L.

Staatsalt. § 125, 1). The ἐπιστάτης τῶν προτάνεων was not allowed to hold that office more than once (c. 44 § 1).

The rotation of all in office was a well-known device of later times (cf. Headlam's *Election by Lot*, p. 88): but it may well be asked how far it was applicable to a large body of citizens, most of whom lived at a considerable distance from Athens. It was in fact the work of a developed democracy (*Class. Rev.* v 168 a). *Ar. Pol.* vi (iv) 14, 1298 a 14, ἐν ἄλλαις δὲ πολιτείαις βουλευνόνται αἱ συναρχαί συνιούσαι, εἰς δὲ τὰς ἀρχὰς βαδίζουσι πάντες κατὰ μέρος ἐκ τῶν φυλῶν καὶ τῶν μορίων τῶν ἐλαχίστων παντελῶς, ἕως ἂν διεξέλθῃ διὰ πάντων. *ib.* p. 1300 a 23, ἢ γὰρ πάντες (οἱ πολῖται τὰς ἀρχὰς καθιστάσθαι) αἰρέσει, ἢ πάντες ἐκ πάντων κλήρω (καὶ [ἢ] ἐξ ἀπάντων ἢ ὡς ἀνὰ μέρος, οἷον κατὰ φυλὰς καὶ δήμους καὶ πατρίδας, ἕως ἂν διέλθῃ διὰ πάντων τῶν πολιτῶν κτλ.). It is characteristic of the oligarchical spirit *μὴ εἶναι λέγειν πάντας ἐξῆς μηδὲ βουλευεῖν* [*Xen.* *Rep. Ath.* i 6].

διελθεῖν τὴν ἀρχήν. Cf. βίον διελθεῖν. It would, however, be more natural to say διὰ πάντων διελθεῖν or διεξελεθεῖν (τὴν ἀρχήν), as in *Pol.* 1273 b 17, διὰ πάντων ... διελήλυθε τὸ ἀρχεῖν καὶ τὸ ἀρχεσθαι, and the passages quoted in last note.

For ἐξελεθεῖν *ex urna* (van Leeuwen) cf. Horace's *sors exitura*, but this use of ἐξελεθεῖν is doubtful. In *Pol.* ii 11, 1273 a 16, the word is applied otherwise, to the 'going out of office' (of certain officials in the Carthaginian constitution), καὶ γὰρ ἐξεληλυθότες ἀρχοῦσι καὶ μέλλοντες.

ἔδρα βουλῆς] c. 30 § 4.

ἐκκλησίας] Of the general assembly of the citizens, in or before the times of Dracon, nothing is known. 'The people must have had some power' (says Mr Abbott, *History of Greece*, i 2301), 'or the Draconian laws would not have been published, and Solon would not have been chosen to reform the constitution. We do not know that the officers were elected by, or responsible to, the assembly, and of legislative and judicial authority the people had none. Perhaps we may assume that war could not easily be proclaimed without their consent, as they formed the bulk of the soldiers. If that were the case, the safety and power of the State depended, in the last resort, upon the General Assembly.'

S. A.

εἰ δέ τις...ἐκλείποι...ἀπέτινον] Goodwin's *Moods and Tenses*, § 462.

ἐκλείποι τὴν σύνοδον] *Xen. Hell.* v 2 § 22, εἰ δέ τις τῶν πόλεων ἐκλείποι τὴν στρατείαν, ἐξείναι Λακεδαιμονίους ἐπιζημιοῦν στατήρι κατὰ τὸν ἄνδρα τῆς ἡμέρας. The phrase is not found in Aristotle, although in *Pol.* 1331 b 10 we have πρὸς ἀγορᾶ...καὶ συνόδῳ τινὶ κοινῇ. σύνοδος is applied to an ἐκκλησία in 1319 a 32, οἱ δὲ γεωργοῦντες διὰ τὸ διεσπάρθαι κατὰ τὴν χώραν οὐτ' ἀπαντῶσιν οὐθ' ὁμοίως δέονται τῆς συνόδου ταύτης, and to the συσσίτια in 1271 a 28, ἔδει γὰρ ἀπὸ κοινοῦ μάλλον εἶναι τὴν σύνοδον, καθάπερ ἐν Κρήτῃ. ἐκλείπειν is generally intrans. in *Ar.*—Fines for non-attendance are mentioned in *Pol.* 1297 a 17 (among the devices by which oligarchies deceive the people), περὶ ἐκκλησίαν μὲν τὸ ἐξείναι πᾶσιν ἐκκλησιάσασθαι, ζημίαν δὲ ἐπικείσθαι τοῖς εὐπόροις ἐὰν μὴ ἐκκλησιάσῃσιν..., and (among the counter-devices on the part of democracies) 1297 a 37, τοῖς μὲν γὰρ ἀπόροις μισθὸν πορίζουσιν ἐκκλησιάσασθαι καὶ δικάζουσιν, τοῖς δ' εὐπόροις οὐδεμίαν τάττουσι ζημίαν. 1294 a 38, ἐν μὲν γὰρ ταῖς ὀλιγαρχίαις τοῖς εὐπόροις ζημίαν τάττουσιν, ἀν μὴ δικάζωσιν, τοῖς δὲ ἀπόροις οὐδένα μισθόν, ἐν δὲ ταῖς δημοκρατίαις τοῖς μὲν ἀπόροις μισθόν, τοῖς δὲ εὐπόροις οὐδεμίαν ζημίαν.

Mr Headlam observes that the only Athenian instance of a law inflicting a fine for non-attendance at the Council is to be found in the constitution of the 400 in c. 30 *ult.*

There is no evidence as to fines for non-attendance at official duties in the earlier part of Athenian history. The fines inflicted by Solon's legislation are of a completely different character.

In the laws of Dracon fines were levied in terms of so many head of oxen: Pollux ix 61, κὰν Δράκοντος νόμοις ἐστὶν ἀποτίναι εἰκοσάβοιον. This may have been the compensation paid to a man's relatives in a case of unintentional homicide. But (as observed by Busolt, *Philol.* 1891, p. 399) fines paid to the public chest in the form of oxen would be very inconvenient, and in such cases the payment was probably exacted in money.

ἀπέτινον] *Ar. Pol.* ii 12, 1274 b 20, ζημίαν ἀποτίναι (in an interpolated chapter).

πεντακοσιομέδιδμος, ἱππέυς, ζευγίτης] see c. 7 § 4. All these have hitherto been

μέδιμνος τρεῖς δραχμάς, ὁ [δὲ ἰ]ππεὺς δύο, ζευγίτης δὲ μίαν. ἡ δὲ 4
 20 βουλή ἢ ἐξ Ἀρείου πάγου φύλαξ ἦν τῶν νόμων καὶ διετήρ[ει τὰ]ς
 ἀρχὰς ὅπως κατὰ τοὺς νόμους ἄρχωσιν. ἐξῆν δὲ τῷ ἀδικουμένῳ
 πρὸς τὴν τῶν Ἀρεοπαγιτ[ῶν] βουλὴν εἰσαγγέλλειν ἀποφαίνοντι
 παρ' ὃν ἀδικεῖται νόμον. ἐπὶ δὲ τοῖς σῶ[μα]σιν ἦσαν οἱ δανεισμοί, 5
 καθάπερ εἴρηται, καὶ ἡ χώρα δι' ὀλίγων ἦν.

5. τοιαύτης δὲ τῆς τάξεως οὔσης ἐν τῇ πολιτείᾳ καὶ τῶν

19 <ὁ> ζευγίτης H-W, H-L; sed exspectares ὁ δὲ ζ. 22 ΑΡΕΟΠΑΓΕΙΤ.
 23—4 ἐπὶ—ἦν spuria putant Richards et Keil. δεδεμένοι quondam dubitanter
 K (K-W); δεδανεισμένοι Richards, H-L; οἱ δανεισμοὶ Blass (K³ p. LXIV).

regarded as characteristic results of Solon's legislation; but some sort of property classification, even before the time of Dracon, is implied in c. 3 § 1, where magistrates are described as chosen *πλουτιώτην*.

We here reach the end of that part of the chapter which is open to most dispute. Its possible origin is thus indicated by Mr Headlam:

'The constitution described betrays the thought of a particular party; the reformers of this school used to advocate their policy by maintaining that it really would restore Athens to the condition in which it was before the democratic changes began. Many as we know looked on Solon as the originator of the changes which they deplored (Ar. *Polit.* ii 12). They would then recommend a constitution of this kind by saying it was like that which prevailed in Athens before the time of Solon. This has misled some transcriber or editor. After the words *τοὺς θεσμοὺς ἐθηκεν*, influenced by the expression at the beginning of chap. iii he desiderated some account of the constitution in the time of Draco and inserted this passage out of some other book' (*Class. Rev.* v 168 b).

§ 4. *φύλαξ τῶν νόμων*] Plut. *Sol.* 19, *τὴν δ' ἄνω βουλὴν ἐπίσκοπον πάντων καὶ φύλακα τῶν νόμων ἐκάθισεν*, *inf.* 8 § 4. *τῶν νόμων*] esp. the *θεσμοὶ* of Draco mentioned in l. 3 immediately before the disputed passage.

εἰσαγγέλλειν] 'to impeach,' or 'lay an information' or 'denunciation.' The first known instance of the verb belongs to an inscr. soon after 446 B.C. (*Bull. de Corresp. hellén.* 1880, p. 225). The use of the term here does not correspond precisely with any of the technical senses which it afterwards bears in a more highly developed stage of Attic law. An *εἰσαγγελία* could be brought before the Archon or the Polemarch in certain cases,

or before the *Boule* or the *Ecclesia*, but not before the Council of the Areopagus. See Dr Hager in Smith, *Dict. Ant. s.v.*

§ 5. *ἐπὶ δὲ κτλ.*] c. 2 § 2. In spite of the advantage of being able to appeal to the Areopagus against acts of injustice, the people had the standing grievance of having their persons mortgaged to their creditors &c. The statement follows naturally from the previous sentence and leads up to the account of the rebellion of the poor against the rich in the next. It is therefore unnecessary to accept the view of a writer in the *Edinburgh Review*, 1891, 479: "the statement is quite superfluous; the conjunction does not link it with the preceding sentence, which is concerned with a wholly different subject, and the form, 'as has been said,' shows clearly that it is a marginal comment made by some one who wished to impress the fact on his memory." So far from wishing to strike out this passage, we should be grateful for its preservation, as it has made it possible to restore the sense in the previous mention of the same facts in chap. 2. It has already been shewn that it is quite in harmony with the context.

V—XII. *The legislation of Solon.*

V § 1. *τάξεως*] If in the previous chapter, the description of the *τάξις* is an interpolation, and the mention of the *θεσμοὶ* in relation to the Areopagus and the economic condition of the poorer classes is alone to be regarded as genuine, the use of *τάξεως* here becomes open to suspicion, unless we are content to regard the powers of the Areopagus and the right of bringing grievances before them as sufficient to constitute a *τάξις*, or constitutional order of things.

ἐν τῇ πολιτείᾳ] almost equivalent to *τῆς πολιτείας*, the gen. being avoided because of the gen. preceding. Cf. *De Gen. Anim.* 1, 1, 715 a 1, *ἐπεὶ δὲ περὶ τῶν ἄλλων μορίων εἴρηται τῶν ἐν τοῖς ζῴοις*.

[π]ολλῶν δουλεύοντων τοῖς ὀλίγοις, ἀντέστη τοῖς γνωρίμοις ὁ
2 δῆμος. ἰσχυρὰς δὲ τῆς στάσεως οὔσης καὶ πολ[ύ]ν χρόνον ἀντι-
καθημένων ἀλλήλοις, εἴλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα
Σόλωνα, καὶ τ[ὴν πολι]τεί[α]ν ἐπέτρεψαν αὐτῷ ποιήσαντι τὴν 5
ἐλεγείαν ἧς ἐστὶν ἀρχή

γινώ[σ]κω], καὶ μοι φρενὸς ἔνδοθεν ἄλγεα κείται,

πρεσβυτάτην ἐσορῶν γαῖαν Ἰαονίας.

καὶ γὰρ †ἐπελαύνει καὶ πρὸς ἑκατέρους ὑπὲρ ἑκατέρων μάχεται

V 2 an ἐπανεστή? Wyse.

usque ad annum 325 A.C. in titulis Atticis scriptum fuisse constat (Meisterhans, p. 142²): an οἰμῶζ? H-L.

7 ΓΙΝΩ[ΣΚΩ] K, K-W, H-L: γινώσκω certe
8 Ἰαονίην Richards (*Class. Rev.* v 334 a).
9 ΕΠΕΛΑΥΝΕΝ legit K (ἐπήλυνεν K¹ sed tempus praesens flagitat contextus).
ἐπαλλάττει J B Mayor, Richards, cf. *Pol.* 1255 a 13, 1257 b 35, 1295 a 9. ἐπιλαίνει
quondam tentabat, sed desideratur accusativus velut τοὺς τραχυνόμενους; ἐπε-
λαύνει K³, sed sensus in obscuro. [συμβουλευὼν πολλὰ] πρὸς H-L. πολ[ι]τικώ-

§ 2. ἀντικαθημένων] a metaphor im-
plying two forces watching one another.
The literal sense is found in Thuc. v 6
§ 3, and similarly with ἀντικαθίσσθαι *ib.*
iv 124 § 2.

διαλλακτὴν καὶ ἄρχοντα] Plut. *Sol.*
14, ὁμοῦ καὶ διαλλακτῆς καὶ νομοθέτης,
Præc. Ger. Reip. 10 § 16 p. 805, οὐδενὶ
γὰρ ἐμίξας ἑαυτὸν ἀλλὰ κοινὸς ὢν πᾶσι
καὶ πάντα λέγων καὶ πράττων πρὸς ὁμό-
νοιαν, ἡρέθη νομοθέτης ἐπὶ τὰς διαλύσεις,
ib. p. 825 D ἡμέρον διαλλακτὴν, and esp.
Amatotius 18 § 14, 763 D, τοῦτον εἰλον-
το κοινῇ διαλλακτὴν καὶ ἄρχοντα καὶ
νομοθέτην. The last passage supports the
opinion that Plutarch had a first-hand
acquaintance with this treatise.

The archonship of Solon is assigned to
B.C. 594 (Clinton *F. H.*, ii p. 298 = 363;
Busolt, i 524, note 2). Cf. note on 13 § 1.

τὴν ἐλεγείαν] here, and in l. 3 from end
of chapter, 'the elegiac poem.' The fem.
form is found in Theophrastus, *Hist.*
Plant. ix 15, 1, and also in late authors
(e.g. Plut. *Sol.* 26, *Cimon* 10). Aristotle
uses τὰ ἐλεγεία in *Poet.* i, διὰ τριμέτρων
ἢ ἐλεγείων, *Rhet.* i 15, ἐλεγεία Σόλωνος,
iii 2, ἐλεγεία Διονυσίου (cf. *Class. Rev.* v
334 a).

The lines quoted have been hitherto un-
known. They may fairly be accepted as
the opening couplet of the poem cited in
Dem. *de Falsa Leg.*, p. 421, § 255, some-
times called Ἵποθήκαι εἰς Ἀθηναίους.
The passage as there quoted begins with
the words:

ἡμετέρα δὲ πόλις κατὰ μὲν Διὸς οὐπὸτ' ὀλεῖται
αἶσαν καὶ μακάρον θεῶν φρένας ἀθανάτων.

Voemel saw no difficulty in regarding the
passage quoted by Dem. as the actual be-
ginning of the poem: "Particula δὲ non

obstat initio....Similia initia Tyrtaei,
Mimnermi, Callini. Imo optime con-
venit commoto atque elato Solonis animo
relictâ sententiâ 'Aliae quidem urbes in-
terierunt et interibunt,' sic incipere: 'sed
Athenae sunt perpetuae.'" But, if the
couplet quoted in the text comes from the
same poem at all, we now have the true
beginning of that composition. The poet
begins in a strain of sorrow and dejection
due to the sad condition of his country,
mingled with fear of the consequences of
the avarice and pride of the wealthy (*in-
fra*, τὴν τε φιλαργυρίαν τὴν θ' ὑπερφηανίαν).
Afterwards (in the passage preserved by
Dem.) he changes his tone to one of ex-
ultant trust in the overruling power of
the patron-goddess of Athens. He then
dwells on the injustice, the insolence, and
the greed of the δῆμον ἡγεμόνες; and insists
on the evils caused by bad legislation and
the blessings brought about by good. Thus
far we have only an attack against one of
the two parties in the state. The other
topics may have found a place in the lost
portions of the poem.

Ἰαονίας] Ἰαονίην is proposed by Mr
H. Richards on the ground that Solon is
not likely to have used *Ionia* for 'all lands
where Ionians dwell.' The Ionic form
may have been wrongly written Ἰαονίαν,
and then altered into Ἰαονίας in conse-
quence of the superlative. Considering,
however, that it was a fixed belief of the
Athenians that Ion had been their own
πολέμαρχος, and was the father of the
four progenitors of the Ionian tribes,
Attica may well be called the oldest land
in all the Ionian world.

ἐπελαύνει] apparently intransitive;
used elsewhere of military movements

- 10 καὶ διαμφισβητεῖ, καὶ μετὰ ταῦτα κοινῇ παραινεί [κατα]παύειν
τὴν ἐνεστώσαν φιλονικίαν. ἦν δ' ὁ Σόλων τῇ μὲν [φύ]σει καὶ τῇ 3
δόξῃ τῶν πρώτων, τῇ δ' οὐσίᾳ καὶ τοῖς πράγμασι τῶν μέσων, ὥς ἔκ
τε τῶν ἄλλων ὁμολογεῖται καὶ αὐτὸς ἐν τοῖσδε τοῖς ποιήμασιν
μαρτυρεῖ, παραινῶν τοῖς πλουσίοις μὴ πλεονεκτεῖν·
15 ὑμεῖς δ' ἡσυχάσαντες ἐνὶ φρεσὶ καρτερὸν ἦτορ,
οἷ πολλῶν ἀγαθῶν ἐς κόρον [ἡλ]άσατε,
ἐν μετρίοισι τ[ρέφεσθ]ε μέγαν νόον· οὔτε γὰρ ἡμεῖς
πεισόμεθ', οὔθ' ὑμῖν ἄρτια πά[ντ'] ἔσται.
καὶ ὅλως ἀεὶ τὴν αἰτίαν τῆς στάσεως ἀνάπτει τοῖς πλουσίοις· διὸ
20 καὶ ἐν ἀρχῇ τῆς ἐλεγείας δεδοικέναι φησὶ

τατα] ? K-W, qui legi posse existimant καὶ γὰρ πολεῖται καὶ πρὸς, quae si revera olim exstabant, licet conicere καὶ γὰρ πολ[ι]τεύ[ε]ται καὶ πρὸς, quod confirmat aliquatenus Aristides ii 361 Dind. in commentario exscriptus, qui in loco nostro suos in usus convertendo verbum ἐπολιτεύετο bis usurpavit. 11 ΦΙΛΟΤΙΜΙΑΝ superscr. NIKI. φύσει Richards, Wyse (edd.): ῥήσει olim K. 16 ἄσατε K¹ sensu intransitivo usurpatum : correxit Postgate coll. Tyrtaei loco infra allato; idem conicit Naber (edd.). 17 τ[ί]θεσθε] Platt (H-L); μετρίοις τέρεσθε Kontos. 18 ἄρτια : ἄρθμια Tyrrell, coll. Theogn. 1312 ἄρθμιος ἦδὲ φίλος, adde Hdt. vi 83 τῶς μὲν δὴ σφι ἦν ἄρθμια εἰς ἀλλήλους : ἄρτια Kontos (H-L). πά[ντ'] K-W quod locis infra laudatis confirmatur; τᾶλλ' K¹ qui τὰ potius quam πὰ in papyro legit; ταῦτ' H-L (K³, B); πᾶλλ' quondam Blass. 19 αἰεὶ (K, K-W, B) : αἰεὶ (H-L). Formam utramque usurpant decreta

such as 'charging' (Hdt. ix 49), or 'marching against' (i 17); here perhaps of 'attacking.' This sense would lead up to the next verb μάχεται. Another suggestion, ἐπαλλάττει, as observed by one of its proposers, 'seems suitable to describe the attitude of a man who sees and takes both sides of a question at once, who is at home in both camps' (H. Richards in *Class. Rev.* v 107 a). But we should expect δυσχεραίνει or ἀντιτείνει.

πρὸς ἑκατέρους ὑπὲρ ἑκατέρων] The purport of this part of the poem must have been the same as that of the λόγοι of Solon described in Aristides, ii 361, who probably had this passage in view: καίτοι Σόλων τὰ μὲν εἰς Μεγαρέας ἔχοντα ἄσαι λέγεται, τοὺς δὲ νόμους οὐκ ἦδε περι-
ῶν οὐδὲ τοὺς λόγους τοὺς ὑπὲρ τῶν εὐπό-
ρων πρὸς τὸν δῆμον, οὐδὲ τοὺς ὑπὲρ τῶν πολλῶν πρὸς τοὺς πλουσίους οὐκ ἦδεν, οὐδ' ὅσα ἄλλα ἐπολιτεύετο, οὐκ ᾔδων οὐδ' ἐν μέτροις ἐπολιτεύετο, ἀλλὰ τῷ τῆς ῥητορικῆς τύπῳ καθαρῶς χρώμενος.

§ 3. τῇ μὲν φύσει κτλ.] Plut. *Sol.* 1, ἀνδρὸς οὐσίᾳ μὲν, ὥς φασί, καὶ δυνάμει μέσου τῶν πολιτῶν, οἰκίας δὲ πρώτης κατὰ γένος.

τῶν μέσων κτλ.] Ar. *Pol.* vi (iv) 11, 1296 a 19, σημείον δὲ δεῖ νομίζειν καὶ τὸ τοὺς βελτίστους νομοθέτας εἶναι τῶν μέσων πολιτῶν· Σόλων τε γὰρ ἦν τούτων

(δηλοῖ δ' ἐκ τῆς ποιήσεως). This statement is proved by the verses here quoted. τῶν μέσων must not be confounded with our 'middle classes.' It refers rather to the moderately wealthy citizens (see Newman's *Politics* of Ar., i p. 500). Cf. *Pol.* 1295 b, 1296 a 7, 13, 1289 b 29 f.

ἡσυχάσαντες] The vb is transitive in this tense alone. Plat. *Rep.* 572 A, ἡσυχάσας μὲν τῷ δύο εἶδη, τὸ τρίτον δὲ κινήσας. These four lines have been hitherto unknown.

οἷ—ἐς κόρον ἡλάσατε] 'ye that plunged into surfeit of many good things.' Tyrtaeus 11 (7), 10, ἀμφοτέρων δ' εἰς κόρον ἡλάσατε, Hdt. ii 124, ἐς τοσοῦτον ἡλᾶσαν (τὸ πρᾶγμα), 'they drove it thus far'; v 50, ἐς πᾶσαν κακότητα ἐλάσας.

οὔτε γὰρ ἡμεῖς—ἔσται] neither shall we (who are oppressed) continue to obey you, nor will you (who are wealthy) find all things perfect.

ἄρτια πάντ'] Solon 4 (13) 35, εὐνομία δ' εὖκοσμα καὶ ἄρτια πάντ' ἀποφαίνει, and *ib.* 40, ἔστι δ' ὑπ' αὐτῇ πάντα κατ' ἀνθρώπους ἄρτια καὶ πινυτά. Theognis 946, εἰμι παρὰ στάθμην ὀρθὴν ὀδόν, οὐδετέρωσε | κλινόμενος· χρῆ γὰρ μ' ἄρτια πάντα νοεῖν.

τὴν αἰτίαν...ἀνάπτει] 'ascribes the origin' (K). Rare in Aristotle; *Met.* 12, 4,

τὴν τε φ[ιλαργυρ]ίαν τὴν θ' ὑπερφηανίαν,
ὡς διὰ ταῦτα τῆς ἔχθρας ἐνεστώ[σ]ης.

6. κύριος δὲ γενόμενος τῶν πραγμ[άτ]ων Σόλων τὸν τε δῆμον
ἡλευθέρωσε καὶ ἐν τῷ παρόντι καὶ εἰς τὸ μέλλον, καλύσας δ[ανεί]-
ζειν ἐπὶ τοῖς σώμασιν, καὶ νόμους ἔθηκε καὶ χρεῶν ἀ[πο]κοπὰς
ἐπ[ο]ίησε καὶ τῶν ιδίων καὶ τῶν δημοσίων, ἃς σεισάχθειαν καλοῦ-
σιν, ὡς ἀποσεισαμένων τὸ βάρος. ἐν οἷς πειρῶνται τι[νες] δια- 5
2 βάλλειν αὐτόν· συνέβη γὰρ τῷ Σόλωνι μέλλοντι ποιεῖν τὴν

publica usque ad annum 361 A.C., ex quo anno aei tantum inventum est, quamquam
θιασῶν in titulis diu duravit aiei (Meisterhans, p. 25²); itaque aei ubique scripsi;
quod autem inter Aristotelis editores nonnulli modo hanc, modo illam formam
malunt, velut in *Pol.* 1276 a 36, 38 ubi inter trium versuum spatium καίπερ αiei et
καίπερ αei legitur, vix credibile est scriptorem eundem formam utramque usurpasse.
21 τὴν τε φ[ιλαργυρ]ίαν K, K-W, H-L; τὴν φ[ιλοχρηματ]ίαν Kontos, Bernardakis: τὴν
τε ἀ[χρημ]ατίαν B. τὴν τε ὑπερ. (K, K-W); τὴν θ' ὑπερ. J B Mayor, Jackson,
H-L; et metrum et τε iteratum poetae versum produnt.

VI 1 <ὁ> Σόλων K-W. 3 καὶ νόμους ἔθηκε secl. K-W, Reinach.

4 ΔΣΕΙΣΑΧΘΙΑ: ἃς σεισάχθειαν K etc. καλοῦσιν: 'fort. ἐκάλουν scribendum' (K-W).
5 ΑΠΟΣΙΣΑΜΕΝΟΙ: ἀποσεισάμενοι K, H-L; ἀποσεισαμένων J B Mayor, K-W, B.
ΒΑΡΟΣ K etc.: [ἄχθ]ος H-L.

TESTIMONIA. VI 3 Heraclidis epitoma: νομοθετῶν Ἀθηναίους καὶ χρεῶν
ἀποκοπὰς ἐποίησε, τὴν σεισάχθειαν λεγομένην (Rose, *Frag.* 611, 3³). Hesych.
σεισάχθεια· Σόλων χρεῶν ἀποκοπὴν δημοσίων καὶ ιδιωτικῶν ἐνομοθέτησεν, ἥνπερ
σεισάχθειαν ἐκάλεσε παρὰ τὸ ἀποσεισασθαι τὸ βάρος τῶν δανείων. Photius (= Suidas)
σεισάχθεια, = Apostolius 17, 52.

3, ὡς τοὺς λόγους εἰς ἀριθμοὺς ἀνῆπτον, 'to
ascribe or refer to.' Common in Plu-
tarch, e.g. *Lycurg.* 6, τὴν ἀρχὴν καὶ τὴν
αἰτίαν τῆς πολιτείας εἰς τὸν Πύθιον ἀνῆψε,
13 § 3, τὸ δὲ δλον καὶ πάσης νομοθεσίας
ἔργον εἰς τὴν παιδείαν ἀνῆψε, *Numa* 12 § 1,
εἰς μιᾶς δύναμιν θεοῦ τὰ περὶ τὰς γενέσεις
καὶ τὰς τελευτὰς ἀνάπτοντες. Cf. ἀναφέ-
ρουν. Mr Poste and Mr H. Richards
(*Class. Rev.* v 466 a) understand it 'im-
putes the blame.' This might be defend-
ed by Od. ii 86 μῶμον ἀνάψαι (Schol.
περιποιῆσαι, περιθέναι), where Ameis pre-
fers ἐκ μῶμον ἀνάψαι. But in Attic Gk
we should expect περιάπτει in this sense
(*Dem. Lept.* 10). τῆς ἐλεγείας, § 2.

δεδοικέναι κτλ.] Plut. *Sol.* 14, δε-
δοικώς τῶν μὲν τὴν φιλochρηματίαν τῶν δὲ
τὴν ὑπερφηανίαν. The double τε is far
more common in verse than in prose
(Kühner, § 520).

VI § 1. καλύσας δανείζειν κτλ.] Plut.
Sol. 15, Σόλωνος...τὴν τῶν χρεῶν ἀποκο-
πὴν σεισάχθειαν ὀνομάσαντος. τοῦτο
γὰρ ἐποιήσατο πρῶτον πολίτευμα, γράψας
τὰ μὲν ὑπάρχοντα τῶν χρεῶν ἀνείσθαι,
πρὸς δὲ τὸ λοιπὸν ἐπὶ τοῖς σώμασι μηδένα

δανείζειν. Diog. Laert. i 45. The phrase
χρεῶν ἀποκοπὰι is found in *Dem.* 17 § 15,
24 § 149, *Andoc. de Myst.* 88, *Plut.* ii
226 B, *Cic. ad Att.* vii 11 § 1, χ. ἀποκοπὴ
in Plato, *Legg.* 736 C.

σεισάχθειαν] (1) Most of our ancient
authorities understood this to imply a
complete remission of debts; this is the
view of the text, and of Philochorus, *frag.*
57, and it is accepted by Schömann, *Ant.*
p. 328 E. T.; Gilbert i 130; Landwehr,
Philol. Suppl. Bd v (1884) 131 ff.; and
Busolt, i 525. (2) Others, including An-
drotion (see note on 10 § 1), held that Solon
relieved the debtors, partly by a diminu-
tion in the rate of interest, partly by the
introduction of a new money-standard;
this is accepted by Boeckh; Hermann,
Staatsalt. § 106; E. Curtius; and (in the
main) by Duncker, *Gesch. d. Alt.* vi ed.
5, 158. (3) Grote (c. 11, ii 304) assumes
a total remission of debts, but limits it to
the case of debts secured on the debtor's
person or his land.

§ 2. συνέβη—ἐπλούτου] Plut. *Sol.*
15, πράγμα δ' αὐτῷ συμπεσεῖν λέγεται
πάντων ἀνιάρωτατον ἀπὸ τῆς πράξεως ἐκεί-

σεισάχ[θ]ειαν προειπεῖν τισὶ τῶν [γνω]ρίμω[ν], ἔπειθ', ὥς μὲν οἱ
 δημοτικοὶ λέγουσι, παραστρατηγηθῆναι διὰ τῶν φίλων, ὥς δ' οἱ
 [βουλ]όμενοι βλασφημεῖν, καὶ αὐτὸν κοινωνεῖν. δανεισάμενοι γὰρ
 10 οὗτοι συνεπρίαντο πολλὴν χώραν, [μετὰ δ'] οὐ πολὺ τῆς τῶν
 χρεῶν ἀποκοπῆς γενομένης ἐπλούτουν· ὅθεν φασὶ γενέσθαι τοὺς
 ὕστερον δο[κο]ύντας εἶναι παλαιοπλούτους. οὐ μὴν ἀλλὰ πιθ[ανώ-] 3
 τερος [ὁ] τῶν δημοτικῶ[ν λ]όγος· οὐ γὰρ [εἰκ]ὸς ἐν μὲν τοῖς ἄλλοις
 οὕτω μέτριον γενέσθαι καὶ κοινὸν [ὥς]τ', ἐξὸν αὐτῷ [τ]οὺς [ἐτ]έ[ρο]υς
 15 ὑποποιήσάμενον τυραννεῖν τῆς πόλεως, ἀμφοτέροις ἀπεχ[θ]έσθαι
 καὶ περὶ πλείονος [ποι]ήσασθαι τ[ὸ κα]λὸν καὶ τὴν τῆς πόλεως
 σωτηρίαν ἢ τὴν αὐτοῦ πλεονεξίαν, ἐν [οὗτ]ῳ δὲ μικροῖς [καὶ]
 ἀν[αξί]οις καταρρυπαίν[ε]ιν ἑαυτόν. ὅτι δὲ ταύτην ἔσχε τὴν 4
 ἐξουσίαν, τὰ τε πράγματα νοσοῦντα μα[ρτυ]ρεῖ [τοῦ]το, καὶ ἐν τοῖς

8 Δ', διὰ κ etc.: ὑπὸ κ-W.

οὐ πολὺ; εἶτα μετ' H-L.

H-L, κ³.

10 μετὰ δ' κ etc. (cf. *Magn. Mor.* 1211 b 1, μετ'
 11 ΓΙΝΟΜΕΝΗΣ (κ¹): γενομένης Rutherford, κ-W,
 H-L, κ³. 14 ὥστ' Richards, Jackson, Blass (edd.): ἄμα τ' olim κ. [νόμ]ους κ,
 εἰ

κ-W: [ἐτ]έ[ρο]υς Blass (H-L) coll. c. 11, 13.

19 M....PO...TO litteris obscure scrip-
 tis. μαρτυρεῖ legunt Wessely et Blass, quod mihi quoque in mentem venerat. τοῦτο
 mecum coniecerunt κ-W², ἀϊάσατο Wessely, quod vel propter hiatus vix tolerari
 potest. μετεχειρίσατο quod olim protuli (coll. Plat. *Rep.* 408 c ἱατροὶ νοσώδεις μετε-
 χειρίσαντο, et 346 E τὰ ἀλλότρια κακὰ μεταχειρίζεσθαι ἀνορθοῦντα) acceperunt H-L, sed
 repugnat papyrus. μαρτύρ[ε]ι[ο]ν μέ[γα] Blass, sed το potius quam γὰ in papyro apparet.

νης. ὥς γὰρ ὥρμησεν ἀνίειναι τὰ χρέα καὶ
 λόγους ἀρμόττοντας ἐξήτει καὶ πρέπουσαν
 ἀρχήν, ἐκοινώσατο τῶν φίλων οἷς μάλιστα
 πιστεύων καὶ χρώμενος ἐτύγχανε, τοῖς περὶ
 Κόωνα καὶ Κλεινίαν καὶ Ἰππόνικον, ὅτι
 γῆν μὲν οὐ μέλλει κινεῖν, χρεῶν δὲ ποιεῖν
 ἀποκοπὰς ἐγνώκεν. οἱ δὲ προλαβόντες
 εὐθὺς καὶ φθάσαντες ἐδανείσαντο σιγνὸν
 ἀργύριον παρὰ τῶν πλουσιῶν καὶ μεγάλας
 συνεωνήσαντο χώρας. εἶτα τοῦ δόγματος
 ἐξενεχθέντος τὰ μὲν κτήματα καρπούμενοι,
 τὰ δὲ χρήματα τοῖς δανείασιν οὐκ ἀποδι-
 δόντες εἰς αἰτίαν τὸν Σόλωνα μεγάλην καὶ
 διαβολήν, ὥσπερ οὐ συναδικούμενον, ἀλλὰ
 συναδικοῦντα, κατέστησαν. ἀλλὰ τοῦτο
 μὲν εὐθὺς ἐλύθη τὸ ἐγκλημα τοῖς πέντε
 ταλάντοις· τοσαῦτα γὰρ εὐρέθη δανείζων,
 καὶ ταῦτα πρῶτος ἀφῆκε κατὰ τὸν νόμον.
 ἔτι οὐ δὲ πεντεκαίδεκα λέγουσιν, ὧν καὶ
 Πολύζηλος ὁ Ῥοδῖός ἐστι. τοὺς μέντοι
 φίλους αὐτοῦ χρεωκοπίδας καλοῦντες διετέ-
 λσαν (the story of the five talents comes
 from some other source than the text).
Præcept. Ger. Reip. 13 § 10 p. 807, τοῦτο
 γὰρ καὶ Σόλωνα κατήσχυε καὶ διέβαλε
 πρὸς τοὺς πολίτας· ἐπεὶ γὰρ ἐν νῶ λαβὼν τὰ
 ὀφλήματα κουφίσαι, καὶ τὴν σεισάχθειαν
 (τοῦτο δ' ἦν ὑποκόρισμα χρεῶν ἀποκοπῆς)
 εἰσενεγκεῖν, ἐκοινώσατο τοῖς φίλοις· οἱ δ'

ἐργον ἀδικώτατον ἐπραξαν· ἐδανείσαντο
 γὰρ ὑποφθάσαντες ἀργύριον πολὺ, καὶ μετ'
 ὀλίγον χρόνον εἰς φῶς τοῦ νόμου προαχ-
 θέντος, οἱ μὲν ἐφάνησαν οἰκίας τε λαμπρὰς
 καὶ γῆν συνεωνημένοι πολλὴν ἐξ ὧν ἐδανεί-
 σαντο χρημάτων· οὐ δὲ Σόλων αἰτίαν ἔσχε
 συναδικεῖν ἡδίκημένους.

παλαιοπλούτους] Lys. 19 § 49.

§ 3. καταρρυπαίνειν] To the passages
 from Isocr. and Plato, quoted in L and S,
 may be added Plut. *de Cohibenda Ira* 6,
 ii p. 456, καταρρυπαίνει καὶ πύμνησιν
 ἀδοξίας, *de Profectibus in Virt.* 17, ii p.
 85 F, οὐ δ' ὅπως οὖν ἀξίων ῥυπαίνεσθαι.
 The word is not found in Ar.

§ 4. ταύτην τὴν ἐξουσίαν] sc. τοῦ τυραν-
 νεῖν. Plut. *Sol.* 14 and Solon fragm. 33,
 οὐκ ἔφην Σόλων βαθυφύρων κτλ., there quoted:
 also fragm. 32.

τὰ τε πράγματα νοσοῦντα κτλ.] Prof.
 Tyrrell (*Class. Rev.* v 177) defends μετε-
 κρούσατο (κ¹) as follows: "The idea of a
 balance underlies the word, as in παρα-
 κρούεσθαι, and 'he shifted the balance of
 affairs' would be a not unnatural way of
 saying 'he changed the face of politics.'
 But, even if μετεκρούσατο were defensible
 in itself, one could hardly justify such a
 mixture of metaphors as 'adjusting the

ποιήμασιν αὐτὸς πολλαχοῦ μέμνηται, καὶ οἱ ἄλλοι συνομολογοῦσι 20
πάν[τες]. ταύτην μὲν οὖν χρὴ νομίζειν ψευδῇ τὴν αἰτίαν εἶναι.

7. πολιτείαν δὲ κατέστησε καὶ νόμους ἔθηκεν ἄλλους, τοῖς δὲ
Δράκοντος θεσμοῖς ἐπαύσαντο χρώμενοι πλὴν τῶν φονικῶν. ἀνα-
γράφαντες δὲ τοὺς νόμους εἰς τοὺς κύρβεις ἔστησαν ἐν τῇ στοᾷ τῇ 3

TESTIMONIA. VII 3 *Harp. κύρβεις: “ἀναγράφαντες—ἐν τῇ στοᾷ τῇ βασιλείᾳ (Βασιλίδι cod. D et Photius).” *Plut. *Sol.* 25 (οἱ ξύλινοι ἄξονες) προσηγορεύησαν, ὡς Ἀριστοτέλης φησὶ, κύρβεις. *Schol. Arist. *Av.* 1354 (= Lexicon Dem. Patmiacum, p. 150 Sakkelion) κύρβεις...κατὰ δὲ ἐνίοις ἄξονες τρίγωνοι (κατασκευάσματά τινα ξύλινα τρίγωνα Lex. Patm.) ἐν οἷς ἦσαν οἱ τῶν πόλεων νόμοι γεγραμμένοι...καθάπερ καὶ Ἀρ. ἐν τῇ Ἀθ. πολ. φησὶ καὶ Ἀπολλόδωρος (Rose, *Frag.* 352², 390³).

balance of the maladies of the state.’ My former suggestion νοσοῦντα μετεχειρίσαστο is defended in point of expression by the passages of Plato quoted in the critical notes. It is also incidentally confirmed in point of sense by a passage in Grote’s *History of Greece* (ii 327), where he speaks of the ‘discontents of the miserable Athenian population’ experiencing Solon’s ‘disinterested and healing management.’ The *τε* in this case would mean ‘and accordingly’ (being armed with this authority), as often in Herodotus and Thucydides, and not seldom in Xenophon (Kühner, § 519, 3). The usage of Ar. does not differ in this from that of other writers (Eucken, *De Ar. dicendi ratione*, i p. 13).

The suggestion that the sense required is ‘*docet et res publica aegrotans et*’ (K-W¹) admits of being carried out by proposing τὰ τε πράγματα νοσοῦντα μαρτυρεῖ τοῦτο. The sequence μαρτυρεῖ...μέμνηται...συνομολογοῦσι would in this case find its parallel in c. 5 § 3, ἐκ τε τῶν ἄλλων ὁμολογεῖται καὶ αὐτὸς ἐν τοῖσδε τοῖς ποιήμασιν μαρτυρεῖ, and 12 § 1. Cf. *Pol.* 1334 a 5 ὅτι δὲ δεῖ...μαρτυρεῖ τὰ γινόμενα τοῖς λόγοις, *Metaphysica* 282 b 22 ὁ λόγος μαρτυρεῖ, *De Anima* 410 a 29, ὡς —, μαρτυρεῖ τὸ νῦν λεχθέν, *Eth.* ii 1, 1103 b 2 μαρτυρεῖ δὲ καὶ τὸ γινόμενον ἐν ταῖς πολεσιν, &c. Since this note was written μαρτυρεῖ has been conjectured in K-W², and this is the reading which I now prefer.

νοσοῦντα] c. 13 § 3, στασιάζοντες followed by νοσοῦντες metaphorically used in the same sense. Plat. *Rep.* 470 c, νοσεῖν...καὶ στασιάζειν, and 556 E, νοσεῖ τε καὶ αὐτὴ αὐτῇ μάχεται (ἡ πόλις).

μέμνηται] ‘makes mention of,’ usually c. gen.; here *δτι* is due partly to the influence of συνομολογοῦσι, and still more to μαρτυρεῖ, if that be accepted. Cf. 12 § 1, ὅτι—συμφωνοῦσι—μέμνηται.

VII § 1. Δράκοντος θεσμοῖς] c. 4 § 1.

πλὴν τῶν φονικῶν] Plut. *Sol.* 17 *ἰνί.* πρῶτον μὲν οὖν τοὺς Δράκοντος νόμους ἀνέειλε πλὴν τῶν φονικῶν ἅπαντας διὰ τὴν χαλεπότητα καὶ τὸ μέγεθος τῶν ἐπιτιμίων. Cf. Dem. 23 § 66, Aelian *V. H.* viii 10, Josephus *Apion.* i 4, τῶν δημοσίων γραμμάτων ἀρχαιοτάτους τοὺς ὑπὸ Δράκοντος αὐτοῖς περὶ τῶν φονικῶν γραφέντας νόμους. On the revision of the laws of Athens, after the restoration of the democracy in the summer of 411 B.C., the laws of Dracon respecting homicide were once more retained. An inscr. of 409 B.C. records a decree authorizing the γραμματεὺς of the βουλὴ to give the ἀναγραφῆς, or recorders of the laws, a true copy of Dracon’s law. Δράκοντος νόμον τὸν περὶ τοῦ [φόν]ου [ἀν]δ[ρ]α [γραψά]ν[τ]ων οἱ ἀν[α]γρα[φ]ῆς τῶν νόμων—ἐ στήλην λιθίνην κ[αὶ] κ[α] [τ]α[θέρ]ν[τ]ων πρόσθεν τ[ῆς] στοᾶς τῆς βασιλείας. (Cf. Andoc. i 84, 85)... Then follows a copy of the πρῶτος ἄξων of Solon, containing Dracon’s law on involuntary homicide (CIA I 61; Dittenberger, p. 87; Hicks, *Greek Hist. Inscr.* p. 112).

κύρβεις] Rectangular wooden tablets painted white and arranged in sets of four, each set forming a ‘pillar’ about the height of a man. This pillar revolved on an upright axis; hence the κύρβεις were called ἄξονες, the axes *lignae* of Gellius ii 12. The κύρβεις are mentioned in a fragment of Cratinus, quoted by Plutarch *Sol.* 25. An inscr. of 409 B.C. cites the πρῶτος ἄξων (see note on πλὴν τῶν φονικῶν). Lysias, Or. 30, c. *Nicomachium* (B.C. 399), § 17 τὰς θυσίας τὰς ἐκ τῶν κύρβεων. In Dem. *Aristocr.* p. 629 § 28, the law of homicide is found ἐν τῷ α’ (i.e. πρώτῳ) ἄξωνι (as emended by Cobet).

Aristotle is said to have written a treatise in five books περὶ τῶν Σόλωνος ἄξωνων (see list of his works, ascribed to Hesychius, in Rose, *Fragm. Ar.* p. 16, l. 140). Eratosthenes suggested that the several tablets were triangular in shape. This

4 βασιλείῳ καὶ ὥμοσαν χρῆσθαι πάντες· οἱ δ' ἐννέα ἄρχοντες

mistake was corrected by Polemon of Ilium, who, on the strength of his own observation, insists on the quadrangular shape of the tablets (Harpocr. s. v. ἄξονι: οἱ Σόλωνος νόμοι ἐν ξυλίνοις ἦσαν ἄξοσι γεγραμμένοι... ἦσαν δέ, ὡς φησι Πολέμων ἐν τοῖς πρὸς Ἐρατοσθένην, τετραγῶνοι τὸ σχῆμα, διασφύζονται δὲ ἐν τῷ Πρυτανείῳ, γεγραμμένοι κατὰ πάντα τὰ μέρη· ποιοῦσι δ' ἐνίοτε φαντασίαν τρίγωνον, ὅταν ἐπὶ τὸ στενὸν κλιθῶσι τῆς γωνίας. Polemo fragm. 48, Müller, FHG iii 130). A pupil of Eratosthenes, the famous critic Aristophanes of Byzantium, gives a clear account of their shape: Etymologicum Magn. p. 547, ἀμφοτέρων δὲ (sc. τῶν κύρβειν καὶ τῶν ἄξωνων) τὸ κατασκευάσμα τοιοῦτον· πλυνθίον τι μέγα ἀνδρόμυκες, ἡρμοσμένα ἔχον ξύλα τετράγωνα, τὰς πλευρὰς πλατείας ἔχοντα καὶ γραμμάτων πλῆρεις, ἐκατέρωθεν δὲ κνώδακας ('pivots'), ὥστε κινεῖσθαι καὶ περιστρέφεσθαι ὑπὸ τῶν ἀναγινωσκομένων. The 'grammarians' Didymus (Plut. Sol. 1) and Seleucus (Suidas, s. v. ὀργεῶνες) wrote monographs on the ἄξονες. Plutarch, in his life of Solon, refers to the first, the thirteenth and the sixteenth ἄξων (c. 24, 19, 23), and states that some small fragments of the ἄξονες were still to be seen in his own day in the Prytaneum (c. 25).

Some of the Greek lexicographers erroneously distinguished between the κύρβεις and ἄξονες in respect to shape, material and contents (cf. Schol. on Apollonius Rhodius iv 280). The distinction assumes the following form in Tzetzes, *Chiliades*, xii 349:

οἱ ἄξονες τετράγωνοι, τρίγωνοι δὲ αἱ κύρβεις, εἶχον δὲ οἱ μὲν ἄξονες νόμους τοὺς ἰδιώτας, αἱ κύρβεις εἶχον νόμους δὲ τοὺς περὶ δημοσίων. καὶ ἐτι οἱ μὲν ἄξονες ὑπῆρχον ἀπὸ ξύλων, αἱ κύρβεις ἦσαν δὲ χαλκαί.

But the identity of the ἄξονες and κύρβεις has been proved by Hulleman, *Miscellanea Philol.* (Amsterdam, 1850), and is now generally accepted. Cf. Preller on Polemon, p. 87; Frohberger's *Lysias*, III p. 23; Rose, *Ar. Pseudepigraphus*, 414; and Oncken, *die Staatslehre des Ar.*, 422. In view of the text, it is no longer possible to regard the κύρβεις (placed in the στοὰ) as later copies of the ἄξονες in the Prytaneum (so Busolt, i 539, and Müller, *Handbuch*, IV i 118).

τῇ στοᾷ τῇ βασιλείῳ] called ἡ στοὰ ἡ βασιλεία in CIA i 61 (quoted in n. on πλὴν τῶν φονικῶν). Harpocr. s. v. βασιλείας στοά: δύο εἰσὶ στοαὶ παρ' ἀλλήλας, ἡ τε τοῦ Ἐλευθερίου Διὸς καὶ ἡ βασιλείας.

In literature it is known as ἡ τοῦ βασιλέως στοὰ (Plat. *Euthyphron* 2 A, *Theaet.* 210 D) or ἡ στοὰ ἡ βασιλείας (Aristoph. *Eccl.* 684). Cf. Pausan. i 3, 1, καλοῦμένην στοὰ βασιλείας ἐνθα καθίζει βασιλεὺς ἐνιαυσίαν ἄρχων ἀρχὴν καλουμένην βασιλείαν. Pausanias, entering the inner Cerameicus from the north, sees the στοὰ βασιλείας as the first building on his right, i.e. on the W. side of the Cerameicus. Apparently he did not go inside, and he tells us nothing of the altar outside, where the Archons took their oath. (See esp. Wachsmuth, *Stadt Athen*, ii 344—351; Curtius, *Stadtgeschichte von Athen*, p. xc b, and p. 294; and cf. Miss Harrison's *Mythology &c. of Athens*, p. 24.)

The use of this στοὰ as a place for keeping a record of the laws of Athens is attested in Andoc. *De Myst.* 82, 85, ἀναγράψαι ἐν τῇ στοᾷ, and 84, εἰς τὸν τοῖχον ἵνα περ πρότερον ἀνεγράφησαν. The statement of Anaximenes (in Harpocration, s. v. ὁ κάτωθεν νόμος), that Ephialtes transferred τοὺς ἄξοντας καὶ τοὺς κύρβεις from the Acropolis to the βουλευτήριον and the ἀγορά, is inconsistent with the text, and is probably a mere flourish of rhetoric. The κύρβεις were apparently always in the ἀγορά. Cf. Oncken, *Staatslehre*, ii 422. Secret meetings of the Areopagus were sometimes held ἐν τῇ βασιλείῳ στοᾷ, Dem. 25, *Aristog.* A, § 23.

ὥμοσαν κτλ.] Plut. *Solon* 25, κοινὸν μὲν οὖν ὤμνηεν ὄρκον ἡ βουλὴ τοὺς Σόλωνος νόμους ἐμπεδῶσειν, ἰδίῳ δ' ἕκαστος τῶν θεσμοθετῶν ἐν ἀγορᾷ πρὸς τῷ λίθῳ, καταφατίζων, εἴ τι παραβῇ τῶν θεσμῶν, ἀνδρίαντα χρυσοῦν ἰσομέτρητον ἀναθήσειν ἐν Δελφοῖς. On the oath of the Archons, cf. c. 55 § 5, and Plato *Phaedr.* 235 D, καὶ σοι ἐγώ, ὥσπερ οἱ ἐννέα ἄρχοντες, ὑπισχνούμαι χρυσὴν εἰκόνα ἰσομέτρητον εἰς Δελφοὺς ἀναθήσειν.

The word ἰσομέτρητον is omitted in the text and in Pollux viii 86. It is ingeniously explained by Bergk (*Rhein. Mus.* xiii 448) as virtually equivalent to ἰσοστάσιον and as implying that the statue in gold was to be equivalent in weight to the amount of silver received as a bribe. This, he urges, is suggested by Deinarchus i 60, ii 17, where the δεκαπλοῦν τίμημα may be explained with reference to the relative value of gold to silver at Athens in the time of Solon, being 10 : 1. According to this view the archons swore that they would pay a fine equivalent to ten times the value of any bribe they

- ὁμνύντες πρὸς τῷ λίθῳ κατεφάτιζον ἀναθήσειν ἀνδριάντα χρυσοῦν, 5
 ἐάν τινα παραβῶσι τῶν νόμων ὅθεν ἔτι καὶ νῦν οὕτως ὁμνύουσι.
 2 κατεκύρωσεν δὲ τοὺς νόμους εἰς ἑκατὸν [ἔ]τη καὶ διέταξε τὴν πολι-
 τείαν τόνδε <τὸν> τρόπον.
 3 τιμῆμα[τα δι]εἶλεν εἰς τέτταρα τέλη, καθάπερ διήρητο καὶ
 πρότερον, εἰς πεντακοσιομ[έδιμ]ν[ον καὶ ἱππέα] καὶ ζευγίτην καὶ 10

8 τόνδε <τὸν> τρόπον edd.; cf. c. 29 § 5, 37 § 1. 9 <τὰ> τιμήματα Blass (H-L); ante τιμήματα lacunam indicant K-W, 'velut <τὸ πᾶν πλήθος ἐκ> τιμημάτων διεἶλεν,' coll. Hesych. et Harp.

TESTIMONIA. 5 *Harp. λίθος:...εἰκόσι δ' Ἀθηναῖοι πρὸς τινι λίθῳ τοὺς ὄρκους ποιεῖσθαι, ὡς Ἀρ. ἐν τῇ Ἀθ. πολ. καὶ Φιλόχορος ἐν τῷ γ' ὑποσημαίνουσιν.

9 *Harp. ἱππᾶς:...Ἀρ. ἐν Ἀθ. πολ. φησὶν ὅτι Σόλων εἰς τέτταρα διεἶλε τέλη

received. In the text, however, we have no reference to receiving bribes and no mention of the bulk of the statue; nor again have we either here, or in the excerpts of Heraclides or in Pollux, any mention of Delphi. Suidas (as observed by Thompson on Pl. *Phaedr.* l. c.) 'makes the statues three instead of one and represents them as portrait-statues of the delinquent' (χρυσῇ εἰκῶν: ὥμνουν οἱ Ἀθήνησιν ἄρχοντες, ἂν τι παρέλθωσιν ἐφ' οἷς ἂν ἄρχωσιν, χρυσῇν εἰκόνα αὐτῶν ἀναθήσειν ἐν ἄστει, ἐν Πυθοί, ἐν Ὀλυμπίᾳ). But portrait-statues were not in use in Solon's time, and 'it is very unlikely that the Delphians would have allowed their sacred peribolus to be defiled by the statue of a detected criminal. And if the penalty was intended to be enforced, the offering must needs have been of much more limited dimensions. It is therefore conceivable that both *ισομέτρητον* and *αὐτοῦ* were introduced by late writers into the text of the original oath, in order to make it conformable to the supposed meaning of Plato.' The text shews that this conjecture is right, and also that the insertion of ἐν Δελφοῖς has no warrant in the original form of the oath.

The λίθος was possibly identical with the altar of Ζεὺς ἀγοραῖος (Wachsmuth, *Stadt Athen*, ii 352).

§ 2. εἰς ἑκατὸν [ἔτη] Plut. *Sol.* 25 init., ἰσχύει δὲ τοῖς νόμοις πᾶσιν εἰς ἑκατὸν ἐνιαυτοὺς ἔδωκε.

§ 3. τιμήματα κτλ.] Hitherto it has been universally held that the classification of citizens according to property was first devised by Solon. Plut. *Sol.* 18, δεύτερον δὲ Σόλων τὰς μὲν ἀρχὰς ἀπάσας, ὥσπερ ἦσαν, τοῖς εὐπόροις ἀπολιπεῖν βουλόμενος, τὴν δ' ἄλλην μῆζαι πολιτεῖαν, ἣς ὁ ὄμιλος οὐ μετείχεν, ἔλαβε τὰ τιμήματα

τῶν πολιτῶν, καὶ τοὺς μὲν ἐν ξηροῖς ὁμοῦ καὶ ὑγροῖς μέτρα πεντακόσια ποιοῦντας πρώτους ἔταξε καὶ πεντακοσιομεδῖμους προσηγόρευσεν· δευτέρους δὲ τοὺς ἵππον τρέφειν δυναμένους ἢ μέτρα ποιεῖν τριακόσια· καὶ τούτους ἱππᾶδα τελούντας ἐκάλουν· ζευγίται δ' οἱ τοῦ τρίτου τιμήματος ὀνομάσθησαν, οἷς μέτρον ἦν συναμφοτέρων διακοσίων. οἱ δὲ λοιποὶ πάντες ἐκαλοῦντο θῆγες, οἷς οὐδεμίαν ἀρχεῖν ἔδωκεν ἀρχὴν, ἀλλὰ τῷ συνεκκλησιάζειν καὶ δικάζειν μόνον μετείχον τῆς πολιτείας. The quotations in Harpocration are to the same effect. They ignore the 'Draconian constitution,' and they lend no support to the phrase: καθάπερ διήρητο καὶ πρότερον. Those who decline to accept the 'Draconian constitution' must necessarily omit the words just quoted. Mr Kenyon suggests that the statements in c. 4 can only be reconciled with the general ascription of the classes in question to Solon, by supposing that the latter brought them into a new relation to the political constitution. Solon began his reforms by repealing all of Dracon's laws except those relating to homicide. This implies that 'Solon made a clean sweep of all the laws relating to the constitution, so as to have a free hand in reconstructing it according to his own ideas. He then re-introduced the property classes, as well as the Council of Four hundred and the Areopagus.' This explanation is skilful and ingenious and may possibly be right.

On Solon's τιμήματα, see Boeckh, *Book iv c. v*; Grote, c. 11, vol. ii 318; Busolt i 527. The term τιμήμα occurs first in CIA i 31.

ζευγίτην] from ζεύγος, 'a team,' applied to one who kept a pair of mules (Isaeus 5 § 43; 6 § 33), or of working horses, or a yoke of oxen.

θήτα. τὰς μ[έν οὖν] ἀρχὰς ἀπένευμεν || ἄρχειν ἐκ πεντακοσιομε- [Col. 3.
δίμνων καὶ ἱππέων καὶ ζευγитῶν, τοὺς ἐννέα ἄρχοντας καὶ τοὺς
ταμίας καὶ τοὺς πωλη[τὰς] καὶ τοὺς ἑνδεκα καὶ τοὺς κωλακρέτας,
ἐκάστοις ἀνάλογον τῷ μεγέθει τοῦ τιμ[ή]μ[ατο]ς ἀποδιδούς τ[ὴν]
15 ἀρ[χήν]. τοῖς δὲ τὸ θητικὸν τελοῦσιν ἐκκλησίας καὶ δικαστηρίων

11 τὰς μὲν οὖν ἀρχὰς K, K-W, H-L: [καὶ] τὰς [με[γίστ]ας] ἀρχὰς Blass, qui aut me-
γίστας (quod legi posse concedit K) delendum, aut in sequentibus complura mutanda
putat.

τὸ πᾶν πλῆθος Ἀθηναίων, πεντακοσιομεδίμνους καὶ ἱππέας καὶ ζευγίτας καὶ θήτας.
*Id. πεντακοσιομεδίμνον: ...ὅτι δ' ἔτελε ἐποίησεν Ἀθηναίων ἀπάντων Σόλων, ὧν ἦσαν καὶ
οἱ πεντακοσιομεδίμνοι, δεδήλωκεν Ἀρ. ἐν Ἀθ. πολ. *Id. θήτες: ...εἰς τέσσαρα διηρημένης
παρ' Ἀθηναίους τῆς πολιτείας οἱ ἀπορώτατοι ἐλέγοντο θήτες καὶ θητικὸν τελεῖν κτλ.
Pollux viii 130 τιμήματα δ' ἦν τέτταρα κτλ. Hesych. ἐκ τιμημάτων: ...διήρητο
γὰρ ἡ πολιτεία κατὰ Σόλωνα εἰς τέσσαρα, πεντακοσιομεδίμνον... Id. ζευγίσιον: ...ἦν
δὲ διηρημένη ἡ πολιτεία εἰς τέσσαρα τιμήματα. (Cf. Rose, Frag. 350², 388³.)

15 Schol. Arist. *Eg.* 627 (οἱ θήτες), οἷς οὐδὲ ἀρχεῖν ἐφέετο, ἢ δικάζειν καὶ ἐκκλησιάζ-
εῖν μόνον.

τὰς ἀρχὰς ἀπένευμεν ἄρχειν] This
does not mean that the members of all
the three highest classes were eligible for
the office of archon. The first part of
the sentence must be read in the light of
the second, which implies that there was
a kind of scale of eligibility according to
the class in which the citizen was placed.
Those in the first class alone would be
eligible for the archonship. Cf. Plut.
Aristides 1, τὴν ἐπώνυμον ἀρχήν, ἣν ἤρχε
τῷ κνᾶμφ λαχὼν ἐκ τῶν γενῶν τῶν τὰ
μέγιστα τιμήματα κεκτημένων, οὓς πεντα-
κοσιομεδίμνους προσηγόρεον. The same
class supplied the ταμίαι c. 8 § 1. On the
ταμίαι and the πωληταί, see c. 47; on
the ἑνδεκα, c. 52.

κωλακρέτας] The form given by Photius
and Suidas: κωλαγρέτης in the Ravenna
ms of Aristoph. and in the lexicon of
Timaeus; lit. 'collectors of hams,' so
called from receiving the prime parts of
the victims to aid them in providing the
public meals in the *prytaneum*. They
are said to have had the control of fi-
nancial matters in the time of the kings;
in later times they acted as treasurers
of the *naucrariae*. They were left un-
touched by the legislation of Solon,
in connexion with which they are men-
tioned in the text; but in the reforms of
Cleisthenes they lost the charge of the
finances, which was then transferred to
new officers called *Apodectae* (48). Under
Pericles they were assigned the duty of
paying the dicasts, and they were con-
sidered officials of some importance in
the time of Aristophanes (Schol. on *Vesp.*
695, 727, *Av.* 1541). There is no docu-

mentary proof of their existence after the
Archonship of Euclides (403 B.C.). Cf.
Boeckh, ed. Fränkel, note 302, and Schö-
mann's *Antiquities*, i 327 E. T.; also
Mr Wayte's article in Smith's *Dict. Ant.*,
s.v., Gilbert, i 119 and Busolt, i 159.

ἐκάστοις—τὴν ἀρχήν] *Pol.* 1291 b 38
ἐν μὲν οὖν εἶδος δημοκρατίας τοῦτο, τὸ τὰς
ἀρχὰς ἀπὸ τιμημάτων εἶναι κτλ.

τοῖς δὲ τὸ θητικὸν τελοῦσιν—μόνον]
Pol. ii 12, 1274 a 15, Σόλων γε ἔθηκε
τὴν ἀναγκαιοτάτην ἀποδιδόναι τῷ δήμῳ
δύναμιν, τὸ τὰς ἀρχὰς αἰρεῖσθαι καὶ εὐ-
θύνειν..., τὰς δ' ἀρχὰς ἐκ τῶν γνωρίμων
καὶ τῶν εὐπόρων κατέστησε πάσας, ἐκ τῶν
πεντακοσιομεδίμνων καὶ ζευγитῶν καὶ [τρί-
του τέλους] τῆς καλουμένης ἱππάδος· τὸ δὲ
τέταρτον τὸ θητικόν, οἷς οὐδεμίαν ἀρχὴν
μετῆν. Cf. end of this chapter, τοὺς
δὲ ἄλλους θητικόν, οὐδεμίαν μετέχοντας
ἀρχῆς.

τὸ θητικὸν τελοῦσιν] 'those who be-
longed to the thetic census.' It will be
observed that they are not here called
θήτες. Of those who were placed in the
fourth class Grote (ii 321) observes: 'It
is said that they were all called *Thêtes*,
but this appellation is not well sustained
and cannot be admitted: the fourth com-
partment in the descending scale was in-
deed termed the Thetic census, because
it contained all the *Thêtes*, and because
most of its members were of that humble
description, but it is not conceivable that
a proprietor whose land yielded to him a
clear annual return of 100, 120, 140 or
180 drachms, could ever have been desig-
nated by that name.' See, however, l. 11.

τελεῖν does not necessarily mean *actual*

4 μετέδωκε μόνον. ἔδει δὲ τελεῖν πεντακοσιομέδιμνον μὲν ὃς ἂν ἐκ τῆς οἰκείας ποιῇ πεντακόσια μέτρα τὰ συνάμφω ξηρὰ καὶ ὑγρά, ἵππάδα δὲ τοὺς τριακόσια ποιούντας (ὥς δ' ἐνιοὶ φασι τοὺς ἵπποτροφεῖν δυναμένους. σημείον δὲ φέρουσι τό τε ὄνομα το[ῦ] τέλους, ὥς ἂν ἀπὸ τοῦ πράγ[μ]ατος κείμενον, καὶ τὰ ἀναθήματα τῶν 20

17 τῆς: γῆς Bywater; τῆς defendit Kontos (*Athēna* iii 321—2). ξηρῶν καὶ ὑγρῶν H-L coll. Plut. *Sol.* 18 (ἐν ξηροῖς ὁμοῦ καὶ ὑγροῖς). 19 δ' ἐπιφέρουσι H-L coll. c. 3, 11. 20 ὥς ἂν—κείμενον delent H-L; ἂν delet B.

TESTIM. 16—19 Pollux viii 130 οἱ μὲν ἐκ τοῦ πεντακόσια μέτρα ξηρὰ καὶ ὑγρά ποιεῖν κληθέντες...οἱ δὲ τὴν ἵππάδα τελούντες ἐκ μὲν τοῦ δύνασθαι τρέφειν ἵππους κεκλήσθαι δοκοῦσιν, ἐποιοῦν δὲ μέτρα τριακόσια (cf. Schol. in Plat. *Rep.* 415). Bekk. *Anecd.* 298, 20 πεντακοσιομέδιμνοι: οἱ ἐκ τῆς οἰκείας γῆς ποιοῦντες πεντακόσια μέτρα συνάμφω ξηρὰ καὶ ὑγρά. Id. 267, 13 ἵππας:...οἱ ποιοῦντες τριακόσια μέτρα.

18 Schol. Arist. *Eg.* 627...ἵππεῖς δὲ αὐτοὺς ὠνόμαζον διὰ τὸ δύνασθαι...ἵππον ἕκαστον αὐτῶν τρέφειν. Etym. cod. Vossianus, p. 1170, Gaisford, ξενύσιον...δευτέρους δὲ τοὺς ἵπποτροφεῖν δυναμένους καὶ τοὺς τοὺς ἵππους δὲ (leg. καὶ τοὺς ἵππάδα) τελούντας ἐκάλουν.

payment, but 'the being included in a class with a certain aggregate of duties and liabilities,'—equivalent to *censeri*, 'to rank as'; Boeckh, p. 36, Grote, p. 321 n.

ἐκκλησίας—μόνον] *Pol.* 1281 b 30, λείπεται δὴ τοῦ βουλευέσθαι καὶ κρίνειν μετέχειν αὐτοὺς κτλ.

§ 4. ποιῇ] [Dem.] *Phaenirrh.* 42 § 20, p. 1045, πλουτεῖς εἰκότως ἐπειδὴν ποιῆς σίτου μὲν μεδίμνους πλέον ἢ χιλιούς, οἴνου δὲ μετρητὰς ὑπὲρ ὀκτακοσίους. πεντακόσια κτλ. Hitherto, it has been sometimes supposed that one who obtained from his land a net return of 500 measures of dry produce, such as corn or barley, together with 500 measures of liquid produce, such as oil or wine, ranked in the first class (Bruno Keil in *Berl. Phil. Woch.* 1891, p. 521 n.). It has also been held that a net return of either 500 dry measures or 500 liquid measures constituted a claim to that class (Busolt, i 527). It is now clear that the 500 measures could be made up of dry and liquid produce taken together, and this is also the purport of some of the evidence previously known to us, e.g. the article in Bekker's *Anecd.* 298, 20, which, it now appears, was taken from the present passage. By μέτρα is meant either a μέδιμνος (=six ἐκτεῖς=six modii =about 12 imperial gallons, or a bushel and a half) of dry measure, or a μετρητής in liquid measure. The latter is the standard ἀμφορέως of 12 χόες=69.33 pints, or slightly over 8½ gallons, and therefore three-fourths of the standard dry measure, the μέδιμνος.

ἵππάδα] (τελεῖν). Isaeus 7 § 39, ἀπεγράφατο μὲν τίμημα μικρόν, ὥς ἵππάδα δὲ

τελῶν ἄρχειν ἡξίου τὰς ἀρχάς. In the Lex. of Photius, the first article on ἵππας (followed by Suidas) makes the curious mistake of distinguishing the ἵππεῖς and the ἵππας and treating the latter as a fifth class; the second article, with the help of Harpocration's quotation from ll. 9, 10 of this chapter, corrects this mistake, adding τῶν οὖν ἵππέων οἱ (sic) ἵππάδες.

ὥς δ' ἐνιοὶ φασι] There is no real discrepancy between the two views, all whose land produced a net return of 300 μέδιμνοι being deemed to have enough property to enable them to keep a horse for military purposes and to serve in the cavalry. Suidas, s. v. ἵππεῖς, following Schol. on Aristoph. *Eg.* 627, says: ἵππεῖς δὲ αὐτοὺς ὠνόμαζον διὰ τὸ δύνασθαι, εἴποτε χρεῖα γένοιτο, ἵππον ἕκαστον αὐτῶν τρέφειν. In addition to the war-horse (ἵππος πολεμιστήριος), a horse would be required for the servant of the ἵππεῖς, and those who belonged to this class would also need a team for agricultural purposes (Boeckh, p. 639, Lamb, p. 579, Fränkel).

ὥς ἂν—κείμενον] 'as though' (or implying that) 'the name was derived from the fact just mentioned.' Ar. *Analytica Posteriora*, Γ 3, 72 b 9, ὥς οὐκ ἂν ἐπισταμένους. περὶ ἀκουστικῶν 803 b 5, ἕκαστον τῶν μορίων προσπίπτων, ὥς ἂν ἀπὸ πλεηγῆς ἐτέρας ὄν, and 804 b 25, φωνοῦσιν, ὥς ἂν τὸ πνεῦμα βιαζόμενον. κείμενον, used, as often, for the perf. pass. part. of τίθημι. Isaeus 3 § 32, εἰ τις ἡδεῖ τοῦθ' ὑπὸ τοῦ πατρὸς κείμενον, *nomen a patre impositum* (Cobet, *V. L.* 311, *N. L.* 703). Similarly in the next few lines, ἀναθήματα...ἀνάκειται...ἀνέθηκε.

ἀναθήματα] Polemon, a contemporary

ἀρχαίων ἀνάκειται γὰρ ἐν ἀκροπόλει εἰκὼν [[Διφίλου]], ἐ[φ] ἢ ἐπ]ι-
γέγραπται τάδε·

Διφίλου Ἀνθεμίων τήνδ' ἀνέθηκε θεοῖς,
θητικοῦ ἀντὶ τέλους ἱππάδ' ἀμειψάμενος.

25 καὶ παρέστηκεν ἵππος [[ἐκμαρτυρῶν]], ὡς τὴν ἱππάδα τοῦτο σημα[ί]-

21 Διφίλου secl. Thompson, K-W, B. 23 καὶ τὸ ἐπίγραμμα Διφίλου Ἀνθεμίων ἵππον τόνδ' ἀνέθηκε θεοῖς Pollucis codices, ubi viderunt critici aut Διφίλου et ἐπίγραμμα coniungenda esse aut cum Bekkero legendum Διφίλου Ἀνθεμίων τόνδ' ἵππον θεοῖς ἀνέθηκεν. Pollucis vero e codicibus unus habet Διφίλου Ἀνθεμίων τόνδ' ἀνέθηκε θεοῖς. Nostro autem in loco versus hexametrum nonnulli restituerunt, velut <ἵππον> Διφίλου Ἀνθεμίων ἀνέθηκε θεοῖσι Tyrrell; Διφίλου Ἀνθεμίων τήνδ' <εἰκὼν> ἔθηκε θεοῖσι numerosius J B Mayor, ἀνέθηκε ex ονεθηκε ortum fuisse arbitratus (*Class. Rev.* v 177 a); Διφίλου Ἀνθεμίων τήνδ' <εἰκόνα> θεοῖς ἀνέθηκε Thompson (ib. 225 b). Sed Pollucis codices, non minus quam papyrus nostra, testantur versus priorem pentametrum fuisse. 25 ΕΚΜΑΡΤΥΡΩΝ (K): †ἐκμαρτυρῶν (K-W): ἐπιμαρτυρῶν Tyrrell et olim Blass (H-L); etiam ἐκ τῶν ἀριστερῶν Blass, sed expectatares ἐξ ἀριστερᾶς. Equidem ΤΕΚΜΗΡΙΟΝ ad explicandum sensum quondam adscriptum postea in ΕΚΜΑΡΤΥΡΩΝ mutatum fuisse crediderim; τῇ in litura. eis μαρτύριον ed. Blass.

TESTIMONIA. 21—24 Pollux viii 131 Ἀνθεμίων δὲ ὁ Διφίλου καλλωπίζεται δι' ἐπιγράμματος ὅτι ἀπὸ τοῦ θητικοῦ τέλους εἰς τὴν ἱππάδα μετέστη, καὶ εἰκὼν ἐστὶν ἐν ἀκροπόλει ἵππος ἀνδρὶ παρεστηκώς· καὶ τὸ ἐπίγραμμα | Διφίλου Ἀνθεμίων τόνδ' ἀνέθηκε θεοῖς | θητικοῦ ἀντὶ τέλους ἱππάδ' ἀμειψάμενος (Falckenburgii codex).

of Ptolemy Epiphanes (B.C. 204—181) devoted four books of his *περίηγησις* to the *ἀναθήματα* on the Acropolis (Strabo, ix 396). If the present passage was inserted at a later date than the time of Aristotle, it may possibly have been borrowed from the work of Polemon; but the only reason for doubting whether it is by the same hand as the rest of the treatise is the exceptionally frequent occurrence of *hiatus*, ἀκροπόλει εἰκὼν Διφίλου ἐφ' ἢ ἐπιγέγραπται. The passage was known to Pollux (viii 131), but whether his quotations from this treatise are taken at first hand or not, is uncertain.

Διφίλου The statue was dedicated by Anthemion son of Diphilus. Diphilus himself had apparently belonged to the *θητικὸν τέλος* and would therefore have had no claim to be represented with a horse beside him. Mr A. S. Murray is therefore probably right in regarding the statue as that of the son, Anthemion (*Class. Rev.* v 108). Anthemion probably owed his promotion from the lowest to the second class either to a legacy or some other stroke of fortune which suddenly made him a wealthy man (Boeckh, p. 641 Lamb).

It is very improbable that an inscription of such a date consisted of two pentameter lines. 'Vix crediderim inscripti-

onem vetustam ex duobus pentametris constituisse. Exempla quidem id genus titulorum quae Kaibel in ind. [*Épigr. Gr.*] p. 702 affert, sunt recentissima' (Preger, *Inscr. Gr. Metricae*, 1891, no. 74). The lines happen to give a consecutive sense but are possibly selected from two successive couplets of the original set of verses, the intermediate hexameter being omitted. 'ἄνδρα παρεστηκότα in versibus omitti non mirum... In anaglyphis saepius equi ad ordinem equestrem significandum additi sunt, cf. Goettling, *Opusc. Acad.* 243' (Preger, l. c.).

ἐκμαρτυρῶν ἐκμαρτυρῶ = *palam testificor* in Aesch. *Eum.* 461, λουτρῶν ἐξεμαρτύρει φόνον, and Aeschin. p. 15, 19, *Or.* I § 107, ὦν οὐδένα ἐγὼ παρακαλῶ δεῦρο τὴν ἐαυτοῦ συμφορὰν, ἣν εἴλετο σιγᾶν, εἰς πολλοὺς ἐκμαρτυρήσαι. This sense is just tolerable in the present passage, though the word is perhaps needlessly strong for the context. It would be clearly out of place to give it the technical sense corresponding to that of ἐκμαρτυρία (*Class. Rev.* v 177 a), i.e. a deposition made by a witness who, by reason of illness or absence abroad, was unable to attend in court. The horse in this case may metaphorically indeed be described as giving evidence; but (so far from being either absent abroad or on the point of leaving the country) it is standing in the very

νους[α]ν. οὐ μὴν ἀλλ' εὐλογώτερον τοῖς μέτροις διηρηῆσθαι καθά-
περ τοὺς πεντακοσιομεδίμνους· ζευγίσιον δὲ τελεῖν τοὺς διακόσια
τὰ συνάμφω ποιοῦντας· τοὺς δ' ἄλλους θητικόν, οὐδεμιᾶς μετέ-
χοντας ἀρχῆς. διὸ καὶ νῦν ἐπειδὴν ἔρρηται τὸν μέλλοντα κλη-
ροῦσθαι τιν' ἀρχήν, ποιοῦν τέλος τελεῖ, οὐδ' ἂν εἰς εἴποι θητικόν. 30

8. τὰς δ' ἀρχὰς ἐποίησε κληρωτὰς ἐκ προκρίτων, [ο]ῦς

26 ΜΕΤΡΙΟΙΣ.

27 δ' ἔδει τελεῖν Kontos (H-L).

VIII 1 ὁ δ' ἀρχὴς (=τῆς δ' ἀρχῆς) frustra tueri conatus est Bury: emendavit K.

TESTIMONIA. 27—29 Pollux viii 130 οἱ δὲ τὸ ζευγίσιον (codd., Hesych., Phot., Schol. Plat., Bekk. *An.* 260 ult.: ζευγίσιον Etym. Magn.) τελοῦντες ἀπὸ διακοσίων μέτρων κατελέγοντο...οἱ δὲ τὸ θητικόν οὐδεμίαν ἀρχὴν ἤρχον. *Harp. θήτες:...οἱτοὶ δὲ οὐδεμιᾶς μετείχον ἀρχῆς, ὡς καὶ Ἀρ. δηλοῖ ἐν Ἀθ. πολ. Etym. Mag. p. 452, 15 θητικόν: οἱτοὶ δὲ οὐδὲ μίαν μετείχον ἀρχῆς.

centre of Athens, on the platform of the Acropolis. The technical sense is therefore out of place, and the word is probably corrupt.

ὥς—σημαίνουσιν] For the participle used as an accusative absolute after ὥς, cf. c. 29 § 3, ὡς οὐ δημοτικὴν ἀλλὰ παραπλησίαν οὖσαν τὴν...πολιτείαν, and *Pol.* v (viii) 4, 1338 b 13, (οἱ Λάκωνες) θηριώδεις ἀπεργάζονται τοῖς πόνους, ὡς τοῦτο πρὸς ἀνδρίαν μάλιστα συμφέρον. Kühner, *G. G.* § 488 d; Maetznar *ad Lycurgum*, § 90, p. 231; Rehdantz, *Ind. Dem. s. v.* Participium. Trans. 'implying that this was the meaning of the status of Knight.'

ζευγίσιον] This form is supported by the Etymologicum Magnum (and Gudianum) alone. The *codex Sorbonicus* of the latter, p. 1170 D Gaisford, has ζευγίσιον: τῷ χαρακτήρι τῶν διὰ τοῦ ἰσίου, οἶον, Ἀφροδίσιον, Ἀτρεμίσιον (*sic*), Προβαλλίσιον. οὕτως οὖν καὶ ζευγίσιον. 'Per ἰ scribendum docet Choeroboscus in Cramerii Anecd. ii p. 215, 10.' Fränkel (n. 805 to Boeckh) urges that ζευγίσιον is the right form, and is better accredited than ζευγίσιον.

διακόσια] The property qualification of the ζευγίται has hitherto been a matter of dispute. Boeckh, p. 641 Lamb, fixes it at 150 medimni. This he infers from a law quoted in [Dem.] *Macart.* 43 § 54, p. 1067, according to which a πεντακοσιομέδιμνος was to pay the ἐπικληρος a dowry of 500 drachmae, a ἱππεὺς 300, and a ζευγίτης 150. From the correspondence of the first and second of these sums to the annual income of members of the first and second class, he infers that the dowry required of a ζευγίτης is identical in amount with his annual income. But he admits that all the positive evidence is in favour of 200 medimni.

This view, which is adopted by Grote (ii 320 note), is supported by the authority of the text.

διὸ καὶ νῦν κτλ.] 'Hence it is that even now, when one who is about to draw lots for any office is asked to what rank he belongs, no one would say that he belonged to the rank of the Thetes.' The subject of ἔρρηται is the officer superintending the drawing of lots for an appointment. The same vague use of the verb occurs in c. 55, ἐπερωτῶσιν and φησίν. As it was under the superintendence of the *Thesmothetae* that officials were appointed by lot (Schömann, *Antiquities*, p. 402 E. T.), the subject is probably ὁ θεσμοθέτης.

At first it was only the πεντακοσιομέδιμνοι who were eligible to the office of archon; next the ἱππεῖς; the ζευγίται became eligible in 457 B.C. (see c. 26). The present passage, as observed by Mr Kenyon, is interesting as shewing that the property qualification can never have been entirely abolished by law.

VIII § 1. κληρωτὰς ἐκ προκρίτων] 'appointed by lot, out of candidates selected by each of the (four) tribes.' Each of the 4 tribes nominated 10, and, out of these 40, the 9 archons were appointed by lot. The archons had formerly been elected by the Areopagus; and, whatever may have been the rule under Dracon, it was Solon who, with a view to extending the political power of the people, devised the combination of selection and sortition described in the text. It has hitherto been sometimes supposed that appointment by lot was not used in Athens before the time of Cleisthenes. This is the view of Grote, C. F. Hermann, Busolt, Gilbert, Duncker and others. Grote in fact cannot believe

² [ἐκάσ]τη προκρίνειε τῶν φυλῶν. προῦκρινεν δ' εἰς τοὺς ἐννέα ἄρχοντας ἐκάστη δέκα, καὶ τοῦ[τοις] ἐ[πεκ]λήρουν' ὅθεν ἔτι δια-

² προκρίνειε Gertz (K-W, K³, B); προκρίνει (K¹); προῦκρινε olim B (H-L). ³ τοῦτοις ἐπεκλήρουν K³ coll. 59 § 5, 'litterae unius tantum spatio inter τοῦ et ε relicto, ubi τοῦς (ut videtur) in τοῦτοις correctum.' τούτους ἐκλήρουν K¹ (H-L); aut τούτων aut <ἐκ> τούτων ἐκλήρουν (B) K-W; κάκ τούτων ἐκλήρουν Gomperz.

it was introduced as early as the time of Cleisthenes (c. 31, iii 123 n.). Curtius (i 478 E. T.) assigns it to this time. Schömann, in his criticisms on Grote (*Const. Hist. of Athens*, p. 73 E. T.), shews that an earlier date was not improbable; while Fustel de Coulanges (*La Cité Antique*, p. 212—4, ed. 1883) claims it as an institution of religious origin and therefore of great antiquity. The evidence of this treatise is in favour of its having been introduced at an early date.

The text enables us to understand the statement in Isocrates that, 'in the times of Solon and Cleisthenes,' they did not apply the lot to filling up offices out of the whole body of citizens, but selected those who were the best and the most suitable candidates for each office: *Areop.* § 22, οὐκ ἐξ ἀπάντων τὰς ἀρχὰς κληροῦντες ἀλλὰ τοὺς βελτίστους καὶ τοὺς ἱκανωτάτους ἐφ' ἑκάστον τῶν ἔργων προκρίνουσιν. Elsewhere, *Panath.* 145, he describes the constitution that the Athenians maintained 'for 1000 years' down to the age of Solon and the rule of Peisistratus, and says of the Athenians of old time that they ἐν ὀλίγαις ἡμέραις ἐώρων τοὺς νόμους ἀναγεγραμμένους (this can only refer to the legislation of Dracon). He then adds: περὶ τοὺς αὐτοὺς χρόνους καθίστασαν ἐπὶ τὰς ἀρχὰς τοὺς προκρίθέντας ὑπὸ τῶν φυλετῶν καὶ δημοσίων. [Dem.] *Neaer.* 59 § 75 says of the ἀρχῶν βασιλεὺς in the times after the συνοικισμὸς of Theseus: τὸν μὲν βασιλέα...ὁ δῆμος ἡρέτο ἐκ προκρίτων κατ' ἀνδραγαθίαν χειροτονῶν, where however we have mention of election by show of hands instead of appointment by lot. The use of the lot in the time of Solon is implied by Dem. *Lept.* § 90 (after mentioning Solon), τοὺς θεσμοθέτας τοὺς ἐπὶ τοὺς νόμους κληρουμένους, but too great stress must not be laid on this phrase, as the orators sometimes ascribe to Solon institutions which really belonged to a later date.

The natural interpretation of the present passage is that Solon introduced a new principle by combining selection with sortition. In this respect it is not perhaps inconsistent with the statement in

Pol. ii 12, 1273 b 41, εἴκοι δὲ Σόλων ἐκεῖνα μὲν ὑπάρχοντα πρότερον οὐ καταλύσαι, τὴν τε βουλὴν (i.e. the Areopagus) καὶ τὴν τῶν ἀρχῶν αἵρεσιν, τὸν δὲ δῆμον καταστήσαι, τὰ δικαστήρια ποιῆσαι ἐκ πάντων. Aristotle had just before remarked that some had singled out, as an aristocratic element in Solon's constitution, τὰ τὰς ἀρχὰς αἰρετάς (εἶναι). He adds that Solon did not abolish this principle, for αἵρεσις is not the 'manner of electing the magistrates,' but simply their election. They were still elected, but the details of the method of election were partly new; the new element being apparently the selection by the tribes. Aristotle approves of this method in *Pol.* viii (v) 5, 1305 a 28, μεταβάλλουσι δὲ καὶ ἐκ τῆς πατρίας δημοκρατίας εἰς τὴν νεωτέραν· ὅπου γὰρ αἰρεταὶ μὲν αἱ ἀρχαί, μὴ ἀπὸ τιμημάτων δέ, αἰρεῖται δὲ ὁ δῆμος, δημαγωγούντες οἱ σπουδαρχίωντες εἰς τοῦτο καθιστάσιν ὡς κύριον εἶναι τὸν δῆμον καὶ τῶν νόμων. ἄκος δὲ τοῦ ἢ μὴ γίνεσθαι ἢ τοῦ γίνεσθαι ἦν τὸ τὰς φυλὰς φέρειν τοὺς ἀρχοντας, ἀλλὰ μὴ πάντα τὸν δῆμον.

In *Pol.* vi (iv) 14, 1298 b 9, while discussing oligarchies, he mentions some non-oligarchical elements: ἐὰν δὲ ἐνίων μὲν αἰρετοὶ ἐνίων δὲ κληρωτοὶ, καὶ κληρωτοὶ ἢ ἀπλῶς ἢ ἐκ προκρίτων, ἢ κοινῇ αἰρετοὶ καὶ κληρωτοὶ, τὰ μὲν πολιτείας ἀριστοκρατικῆς ἐστί τούτων, τὰ δὲ πολιτείας αὐτῆς. Cf. 1266 a 8; Plat. *Leg.* 945 B, 753; *Rep.* 537 D.

ὅθεν ἔτι διαμένει] This passage and its context are among the many in which the author argues from survivals, or infers a fact from a reason.

'The signals of this method,' as remarked by Mr Macan (*J. H. S.* xii 38), 'are the innocent γὰρ (c. 2 l. 5, c. 3 l. 6 *alibi*), the more elaborate ὅθεν or ὅθεν καὶ (c. 3 l. 8, c. 8 l. 3), the suspicious διὰ, διὰ καὶ (c. 3 l. 17, c. 8 l. 16) and above all the term σημείων. Wherever these signals occur the critical reader will beware of danger ahead. It may not be necessary in every case to reject the supposed evidence and inference, but it will always be expedient carefully to examine before admitting them.' The writer is here arguing that the method of appointing archons

μένει ταῖς φυλαῖς τὸ δέκα κληροῦν ἐκάστην, εἴτ' ἐκ τούτων κυ-
 μεύει[ιν]. σημείον δ' ὅτι κληρωτὰς ἐποίησεν ἐκ τῶν τιμημάτων 5
 ὁ περὶ τῶν ταμιῶν νόμος, ᾧ χρώμενοι [διατελο]ῦσιν ἔτι καὶ νῦν
 2 κελεύει γὰρ κληροῦν τοὺς ταμίας ἐκ πεντακοσιομεδίμνω[ν. Σόλ]ων
 μὲν οὖν οὕτως ἐνομοθέτησεν περὶ τῶν ἐννέα ἀρχόντων. τὸ γὰρ
 ἀρχαῖον ἢ ἐν Ἀρ[εῖω πάγῳ βουλῇ] ἀνακαλεσαμένη καὶ κρίνασα
 καθ' αὐτὴν τὸν ἐπιτήδειον ἐφ' ἐκάστη τῶν ἀρχῶν ἐπ' [ἐν]α[υτ]ὸν 10
 3 [διατάξ]α ἀπέστειλεν. φυλαὶ δ' ἦσαν τέτταρες καθάπερ πρό-
 τερον καὶ φυλοβασιλεῖς τέτταρες. ἐκ δὲ [τῆς] φυ[λῆς ἐκ]άστης

5 ΕΠΟΙΗΣΑΝ (κ): ἐποίησεν Bury, Hude, K-W, H-L, B. 8 περὶ τῶν ἐννέα ἀρ-
 χόντων secl. K-W². 10 ἐκάστην H-L. 11 διατάξασα K, H-L: καθιστάσα K-W.
 ἦσαν τέτταρες: ΗCΑΝΔ. 12 ΤΕCΤΑΡΕC. εκ: ἐπὶ H-L, sed spatium non sufficit.

TESTIMONIA. 11—14 *Photius ναυκραρία:...ναυκραρία μὲν ὁποῦν τι ἡ συμμορία
 καὶ ὁ δῆμος, ναύκαρος δὲ ὁποῦν τι ὁ δῆμαρχος, Σόλωνος οὕτως ὀνομάσαντος, ὥς καὶ
 Ἀρ. φησί...ἐκ δὲ τῆς Ἀριστοτέλους πολιτείας ὃν τρόπον διέταξε τὴν πόλιν ὁ Σόλων
 “φυλαὶ—ἐκάστην” (cf. Pollux viii 108; Rose, Frag. 349², 387³). Hesych. ναύκλαροι.

adopted in his own day is a survival from that in the times of Solon. The intervention of the tribes is the point in common between the two methods: but, whereas in the earlier method they select, in the later they only appoint by lot. In the former, the lot is resorted to in the second stage only; in the latter, in both.

κυαμεύειν] is synonymous with κληροῦν, the κύαμος, or bean, being employed in the process of appointment by lot. The procedure was as follows: Two jars were set up; in one of these was placed a number of white and coloured beans, in the other the small tablets with the names of the candidates. Then a tablet and a bean were drawn simultaneously and the candidate whose name came out along with the white bean was nominated (Schömann, *Antiquities*, p. 402 E. T.).

κυαμεύειν occurs in the ὄρκος ἡλιαστῶν in Dem. 24 § 150, ὅσαι (ἀρχαί) μετὰ τῶν ἐννέα ἀρχόντων κυαμεύονται, cf. Xen. *Mem.* i 2 § 9 (Socrates) λέγων ὡς μῶρον εἶη τοὺς μὲν τῆς πόλεως ἀρχοντας ἀπὸ κύαμου καθιστάναι, κυβερνήτη δὲ μηδένα ἐθέλειν χρῆσθαι κυαμεντῷ. c. 22 § 5.

σημείον δ' ὅτι κτλ.] The law requiring the ταμίαι to be elected from among the πεντακοσιομέδιμοι is quoted to prove that Solon regulated the allotment of office according to the property classes. The law existed in the writer's time but was practically unenforced, as appears from c. 47. *Pol.* 1282 a 29, τῆς μὲν ἐκκλησίας μετέχουσι καὶ βουλευόντι καὶ δικάζουσιν ἀπὸ μικρῶν τιμημάτων καὶ τῆς τυχοῦσης

ἡλικίας, ταμειέουσι δὲ καὶ στρατηγούσι καὶ τὰς μεγίστας ἀρχὰς ἀρχοῦνσι ἀπὸ μειζόνων.

§ 2. ἢ ἐν Ἀρεῖω πάγῳ βουλῇ] This passage gives us definite authority for the manner in which the public officials were elected in earlier times at Athens. Heretofore it could only be conjectured that they were elected by the Areopagus. τὸ ἀρχαῖον is vague, and may either mean up to the time of Solon, or up to that of Dracon. In c. 4 we have been told that, under Dracon, the officials were elected by οἱ ὅπλα παρεχόμενοι, but the Draconian constitution is much disputed.

ἀνακαλεσαμένη] ‘having summoned,’ without any necessary allusion to the fact that the βουλὴ of the Areopagus was ἡ ἀνω βουλὴ. Cf. Aeschines, *F. L.* 17, ἐπεισε τὴν βουλὴν (the 500) ἀνακαλέσασθαι τὸν Ἀριστόδημον.

§ 3. φυλαί] The successive names of the four tribes in the early history of Athens are quoted by Pollux viii 109. In the time of Erechtheus they took their names (Γελέωντες, Ὀπλητες, Αἰγικόρεις, Ἀργαδεῖς) from the sons of Ion. Cf. Hdt. v 66 (of Cleisthenes) τῶν Ἰωνος παίδων Γελέωντος καὶ Αἰγικόρεος καὶ Ἀργάδεω καὶ Ὀπλητος ἀπαλλάξας τὰς ἐπωνυμίας. Eur. *Ion* 1579, Γελέων (Canter: Τελέων vulg.) μὲν ἔσται πρῶτος· εἶτα δεῦτερον Ὀπλητες Ἀργαδῆς τ', ἐμῆς δ' ἀπ' αἰγίδος ἐν φύλον ἔξουσ' Αἰγικορῆς. (Schömann, *On Grote*, § 2, and *Antiquities*, p. 317 f. E. T.; Philippi, *Att. Bürgerrecht*, pp. 233—296.) φυλοβασιλεῖς] These officials are iden-

ἦσαν νενεμημένοι τριττύες μὲν τρεῖς, ναυκραρίαι δὲ δώδεκα καθ' ἐκάστην. [ἐπὶ δὲ τῶν] ναυκραρίων ἀρχὴ καθεστηκυῖα ναύκραροι, 15 τεταγμένη πρὸς τε τὰς εἰς]φορὰς καὶ τὰς διαπ[άνας] τὰς γιγνο-

13 ΝΑΥΚΡΑΙ|ΡΑΙ.

14 ἐπὶ δὲ τῶν Blass; ἦν δὲ τῶν K; ἦν δ' ἐπὶ τῶν K-W, H-L, sed spatium vix sufficit.

15 ΓΙΝΟΜΕΝΑΣ (K-W).

tical with those called βασιλεῖς (1) in the 13th Axon of Solon, quoted by Plutarch, *Sol.* 19, ἐπιτίμους εἶναι πλὴν ὅσοι ἐξ Ἀρείου πάγου ἢ ὅσοι ἐκ τῶν Ἐφετῶν ἢ ἐκ Πρυτανείου καταδικασθέντες ὑπὸ τῶν βασιλέων ἐπὶ φόνῳ ἢ σφαγαίῳ ἢ ἐπὶ τυραννίδι ἔφευγον, and also (2) in the decree of Patrocleides, Andocides, *de Myst.* § 78 (founded on the language of the law just quoted), ἢ ἐξ Ἀρείου πάγου ἢ τῶν Ἐφετῶν ἢ ἐκ Πρυτανείου ἢ Δελφινίου ἐδικάσθη ἢ ὑπὸ τῶν βασιλέων, ἢ ἐπὶ φόνῳ τις ἐστι φυγὴ, ἢ θάνατος κατεγνώσθη, ἢ σφαγεύσιν ἢ τυράννοισ. In the context of the first passage they are called πρυτάνεις; in that of the second, they are distinguished from the Archon-Basileus. The identity of the βασιλεῖς of Solon with the φυλοβασιλεῖς of Pollux (viii 111, 120) is supported by the connexion of both with the Πρυτανεῖον. The βασιλεῖς apparently dealt with cases of persons who aimed at a τυραννίς. They also presided over the Ephetae in the court of homicide at the Prytaneum (cf. 57 end). They probably represented 'the priestly functions of the ancient chieftains of the several separate tribes which were ultimately fused into a single community' (Prof. Ridgeway in Smith, *Dict. Ant. s. v.*). The fact that they were four in number was already known from the quotation of the present passage in Photius, *s. v. ναυκραρία*. Cf. Pollux viii 111, as emended by Wecklein, οἱ δὲ φ. ἐξ εὐπατριδῶν τέσσαρες (δ for δὲ) ὄντες κτλ. In the *Bulletin de Correspondance Hellénique*, iii 69, we have an inscr. found on the Acropolis respecting a fund called τὰ φυλοβασιλικά, part of which was spent on celebrating a religious festival.

τριττύες ... ναυκραρίαι] The plupf. shews that these divisions had existed before the time of Solon. Photius, *s. v. ναυκραρία*, carelessly quotes Aristotle as his authority for ascribing to Solon the origin of the term ναύκραρος (Σόλωνος οὗτως ὀνομάσαντος, ὡς καὶ Ἀριστοτέλης φησί). That he had the present passage in view is indicated by his quoting it *verbatim* at the end of his article.

The existence of the ναυκραρίαι before the time of Solon is proved by Hdt. v

71, where their πρυτάνεις are described as holding an important position in the government of Athens at the time of the conspiracy of Cylon: οἱ πρυτάνεις τῶν ναυκράρων (αἱ ναυκραρίων) ὅπερ ἔνεμον τότε τὰς Ἀθήνας; but Thuc. i 126 § 5 corrects this account and substitutes for them the nine Archons, adding τότε δὲ τὰ πολλὰ τῶν πολιτικῶν οἱ ἐννέα ἄρχοντες ἐπρασσον. Schömann (*Ant.* p. 326 E. T.) endeavours to reconcile both narratives by assigning to the nine Archons a place on the board of Prytaneis.

The *Naukrari* were the presidents of the *Naukrariai*, and the latter were the administrative districts into which the country was then divided. There were 12 in each tribe or 48 in all. Every four of these districts formed a group called a τριτύς, or third part of a tribe. In Photius p. 196 Porson, and in Bekk. *Anec.* p. 275, mention is made of a ναυκραρία called Κωλιάς which is the name of a strip of coast and cliffs near Phalerum. The term ναυκραρία has reference to the duty imposed on these districts of equipping a ship of war, in addition to that of providing two horsemen (Pollux viii 108). Grote, c. 10, ii 264 n., thinks 'the statement that each Naukrary was obliged to furnish one ship can hardly be true of the time before Solon.' The actual expense probably fell on the wealthier inhabitants of the district, and it would naturally be from their number that the ναύκραροι, or presidents of the ναυκραρίαι, were chosen. There was one president for each ναυκραρία, or 12 for each tribe. Hesychius *s. v. ναύκλαροι* (sic)...τινὲς δὲ ἀφ' ἐκάστης φυλῆς δώδεκα, οἵτινες ἀφ' ἐκάστης χώρας τὰς εἰσφορὰς ἐξέλεγον. ὕστερον δὲ δήμαρχοι ἐκλήθησαν (Schömann, *Antiquities*, p. 326 E. T.; Duncker, *H. G.* ii 144 E. T.; Gilbert, *Gr. St.* i 135; *Jahrb. f. cl. Phil.* 1875, pp. 9 and 452). ναύκραρος is formed from ναῦς and the root κᾶρ (by metathesis κᾶρ) which appears in κραινῶ 'to complete or accomplish' (G. Meyer in Curtius, *Studien*, vii 175).

τὰς εἰσφορὰς] Pollux viii 108, τὰς δ' εἰσφορὰς τὰς κατὰ δήμους διεχειροτόνουν οὗτοι (sc. οἱ ναύκραροι) καὶ τὰ ἐξ αὐτῶν ἀναλώματα.

μένας· διὸ καὶ ἐν τοῖς νόμοις τοῖς Σόλωνος, οἷς οὐκέτι χρῶνται, πολλὰ [οὐ] γέγραπται τοὺς ναυκράρους εἰσπράττειν καὶ ἀνα-
 4 λίσκειν ἐκ τοῦ ναυκραρικοῦ ἀργυρίου. βουλὴν δ' ἐποίησε
 τετρακοσίους, ἑκατὸν ἐξ ἐκάστης φυλῆς, τὴν δὲ τῶν Ἀρεοπαγιτῶν
 ἔταξεν ἐπὶ τὸ νομοφυλακεῖν, ὥσπερ ὑπῆρχεν καὶ πρότερον ἐπὶ-
 20 σκοπος οἱ [ῥ]οι τῆς πολιτείας· καὶ τὰ τε ἄλλα τὰ πλείστα καὶ τὰ
 μέγιστα τῶν πολιτ[ικ]ῶν διετῆρει καὶ τοὺς ἀμαρτάνοντας ἡθύνεν
 κυρί[α] οὐσα [καὶ ζημι]οῦν καὶ κολάζειν, καὶ τὰς ἐκτίσεις ἀνέ-
 φερειν εἰς πόλιν οὐκ ἐπιγράφουσα τὴν πρόφασιν τοῦ *πράτ[τ]εσθαι,
 καὶ τοὺς ἐπὶ καταλύσει τοῦ δήμου συν[ι]σταμένους ἔκρινεν, Σόλω-
 5 νος θέν[ος] νόμον εἰσα[γγ]ελ[ίας] περὶ αὐτῶν. ὁρῶν δὲ τὴν μὲν

17 πολλὰ τοῦ Wessely (K³, B, litteris incertis ΔΧ); πολλὰ τοῦ Paton (H-L), sed spatium vix sufficit; πολλὰ [ἀκί]ς K-W. 20 ἐπὶ τὸ Paton, Gennadios (K-W, H-L, K³, B): ἔτι K¹. 21 καὶ εἰς τὰ ἄλλα H-L. 22 τ(ων) πολιτ(ων): τῶν πολιτικῶν Richards, Hude (K-W, H-L, K³, B), cf. 3, 35 τὰ πλείστα καὶ μέγιστα τῶν ἐν τῇ πόλει; τῶν <περὶ τῶν> πολιτῶν satis probabiliter conicit K. 23 καὶ ζημιῶν Blass (H-L, K³); τοῦ ζημιῶν K¹ (K-W). ἐκτίσεις B. 24 τοῦ πράττεσθαι (exigendi) scripsi, coll. Plat. Leg. 762 B τὴν διπλάσιαν (ζημίαν) πραττέσθω τὸν ὑποφείγοντα; τοῦ κολάζεσθαι K¹; (hiatu admissa) τοῦ εὐθύνεσθαι Blass (H-L, K³); τοῦ εἰσπράττεσθαι? K-W; τοῦ ἐκτίσεσθαι Tyrrell. 26 νόμον εἰσαγγελίας Wessely et K³; νόμον..... K-W, B; ὁ μὲν [οὐδ] ταῦτ' ἔταξε] K¹ (H-L).

ἐν τοῖς νόμοις κτλ.] Phot. Lex. ναυκραρία: καὶ ἐν τοῖς νόμοις δὲ “ἐάν τις ναυκραρίας ἀμφισβητῇ,” καὶ “τοὺς ναυκράρους τοὺς κατὰ τὴν ναυκραρίαν.”

§ 4. βουλὴν δ' ἐποίησε τετρακοσίους] A new council of 400 is here contrasted with the previously existing council of the Areopagus. There is nothing in the phrase to shew that the writer has made any mention of a previous council under Dracon. Cf. Plut. Sol. 19, συστήσας δὲ τὴν ἐν Ἀρείῳ πάγῳ βουλὴν... δευτέραν προσκατένευε βουλὴν ἀπὸ φυλῆς ἐκάστης, τεττάρων οὐσῶν, ἑκατὸν ἀνδρας ἐπιλεξάμενος.

Ἀρεοπαγιτῶν] Philippi, Areop. u. Ephelen, pp. 199—246; Gilbert, i 136. Dunccker, Gesch. d. Alt. (xii 12) vol. vi 187—194.

ἐπίσκοπος οὐσα κτλ.] Plut. l.c., τὴν δ' ἄνω βουλὴν ἐπίσκοπον πάντων καὶ φύλακα τῶν νόμων ἐκάτισεν.

τὰ πλείστα καὶ τὰ μέγιστα κτλ.] c. 3 § 6, διώκει δὲ τὰ πλείστα καὶ τὰ μέγιστα τῶν ἐν τῇ πόλει, καὶ κολάζουσα καὶ ζημιούσα πάντας τοὺς ἀσκοποῦντας κυρίως.

ἀνέφερειν] Dem. 41 § 8, τὴν τιμὴν οὐτ' ἐκείνῳ διέλυσεν οὐτε νῦν εἰς τὸ κοινὸν ἀνένηρχεν.

εἰς πόλιν] = εἰς ἀκρόπολιν (cf. c. 60 § 3). Thuc. ii 15, καλεῖται δὲ ἡ ἀκρόπολις μέχρι τοῦδε ἔτι ὑπ' Ἀθηναίων πόλις. Aristoph.

Nub. 69, Eq. 267, Lys. 245. 'In inscriptions ἐν ἀκρόπολει is first found in B.C. 387—6, according to Bull. d. Corr. Hell. 1888 p. 149. In fourth century prose the use of πόλις is preserved in certain familiar and unambiguous combinations: [Xen.] De Red. v 12, χρήματα εἰς τὴν πόλιν ἀνερχθέντα. Schol. Aristoph. Lys. 273, ἔστησαν ἐν πόλει παρὰ τὸν ἀρχαῖον νεῶν (possibly quoted from one of the writers of Ἀτθίδες or from Craterus). For other references see Maetzner on Antiph. 6 § 39 ἐν τῇ πόλει. On the other hand Andoc. 3 § 7, and Aeschin. 2 § 175, have ἀναφέρειν εἰς τὴν ἀκρόπολιν' (Wyse).

ἐπὶ καταλύσει τοῦ δήμου—νόμον εἰσαγγέλλας] εἰσαγγέλλειν has already been used in a general sense in 4 § 4. We now find a definite νόμος εἰσαγγελλίας ascribed for the first time to Solon. The special case here mentioned corresponds to the first of the three classes of crimes which, according to Hyperides, were included in the νόμος εἰσαγγελτικὸς, pro Eux. 22, ἐάν τις τὸν δῆμον τὸν Ἀθηναίων καταλύῃ ἢ συνίῃ ἐπὶ καταλύσει τοῦ δήμου ἢ ἐταιρικὸν συναγάγῃ (Isocr. de Big. 6; Dinarch. c. Dem. 94). Cf. Theophr. apud Lex. Rhet. Cantab. s. v. εἰσαγγελία: ἐάν τις καταλύῃ τὸν δῆμον. The text implies that the definition given by Theophrastus applies to a far earlier date than the time

πολὺν πολλακίς στασιάζουσιν, τῶν δὲ πολιτῶν ἐνίους διὰ τὴν ῥαθυμίαν ἀγαπῶντας τὸ αὐτόματον, νόμον ἔθηκε πρὸς αὐτοὺς ἴδιον, ὃς ἂν στασιαζούσης τῆς πόλ[εω]ς μ[ὴ] θ[ῆ]ται τὰ ὅπλα μηδὲ 30 μεθ' ἐτέρων, ἄτιμον εἶναι καὶ τῆς πόλεως μὴ μετέχειν.

9. τὰ μὲν οὖν [περὶ τὰ]ς ἀρχὰς τ[ούτ]ον εἶχε τὸν τρόπον. δοκεῖ δὲ τῆς Σόλωνος πολιτείας τρία ταῦτ' εἶναι τὰ δημοτικώτατα.

28 ἀγαπῶντας K-W et Kontos: ἀποκνοῦντας Rutherford; περιμένοντας (J E B Mayor, Marchant, Blass, Gennadios, H-L) quondam conieci, coll. Plut. Sol. 20 περιμένειν ἀκινδύνως τὰ τῶν κρατούντων, sed ὦντ potius quam οὐντ in papyro apparet. περιορῶντας Bury coll. Thuc. iv 71 τὸ μέλλον περιμεῖν (B). Fortasse περιορῶντας τὸ ἀποβαίνειν scribendum. 29 ὁῖται H-L (K³, B); τιῇται Richards, Blass, K-W, sed spatium vix sufficit.

IX 1 εἶχε litteris evanidis (K, B): ἔταξε K-W, H-L. 2 τρία ταῦτ' papyrum secutus K; τρία τὰδ' H-L, K-W². τὰ om. H-L.

TESTIMONIA. 28—30. *Gellius, ii 12: In legibus Solonis illis antiquissimis quae Athenis axibus ligneis incisae sunt quasque latas ab eo Athenienses ut sempiternae manerent poenis et religionibus sanxerunt, legem esse Aristoteles refert scriptam ad hanc sententiam: 'si ob discordiam dissensionemque seditio atque discussio populi in duas partes fiet et ob eam causam irritatis animis utrimque arma capientur pugnabiturque, tum qui in eo tempore in eoque casu civilis discordiae non alterutrae parti sese adiunxerit, sed solitarius separatusque a communi malo civitatis secesserit, is domo patria fortunisque omnibus careto, exul extorrisque esto' (Rose, Frag. 353², 391²).

after Euclides, to which it has been assigned by Fränkel, *Att. Geschworenenger.*, p. 77.

There is a vague reference to εἰσαγγελίαι in the time of Solon in Pollux viii 53, χίλιοι δὲ κατὰ μὲν Σόλωνα τὰς εἰσαγγελίας ἔκρινον, κατὰ δὲ τὸν Φαληρέα καὶ πρὸς πεντακσίους, cf. Philochorus, 155 Müller, εἰσῆγγελλον, ὡς μὲν Φιλόχορος, χιλίων καλεσμένων, ὡς δὲ Δημήτριος ὁ Φαληρεὺς χιλίων πεντακσίων (cf. Duncker, *G. d. A.* vi 179 n). The special case mentioned in the text came before the Areopagus.

§ 5. νόμον ἔθηκε κτλ.] Plut. Sol. 20 imit. τῶν δ' ἄλλων αὐτοῦ νόμων ἴδιος μὲν μάλιστα καὶ παράδοξος ὁ κελεύων ἄτιμον εἶναι τὸν ἐν στάσει μηδετέρας μερίδος γενόμενον. βούλεται δ', ὡς εἰκοι, μὴ ἀπαθῶς μηδ' ἀναισθητῶς ἔχειν πρὸς τὸ κοινόν, ἐν ἀσφαλεῖ θέμενον τὰ οἰκεία καὶ τῷ μὴ συναλγεῖν μηδὲ συννοσεῖν τῇ πατρίδι καλλωπιζόμενον, ἀλλ' αὐτόθεν τοῖς τὰ βελτίω καὶ δικαιοτέρα πράττονσι προσθέμενον συγκινδυνεύειν καὶ βοηθεῖν μάλλον ἢ περιμένειν ἀκινδύνως τὰ τῶν κρατούντων. *Præc. Ger. Reip.* 32 § 1, ii 823 F, ἀπορήσει...καὶ θαυμάσει τί παθὼν ἐκεῖνος ὁ ἀνὴρ ἔγραψεν ἄτιμον εἶναι τὸν ἐν στάσει πόλεως μηδετέροις προσθέμενον, *De Sera Numinis Vindicta* 4, ii 550 B—C, παραλογώτατον δὲ τὸ τοῦ Σόλωνος, ἄτιμον εἶναι τὸν στάσει μηδετέρα μερίδι προσθέμενον μηδὲ συστασιάσαντα. Cic. *ad Atticum* x 1, 2, ego vero Solonis...

legem neglegam, qui capite sanxit, si quis in seditione non alterius utrius partis fuisset. (Cf. Grote, c. 11, ii 341.) Prof. Mayor (*Class. Rev.* v 120 b) also refers to Cantacuzen. iv 13, and Nicephorus Gregora ix 6 fin.

ῥήται τὰ ὅπλα] metaphor from taking up a position in the face of an enemy. Plato, *Rep.* 440 E, ἐν τῇ τῆς ψυχῆς στάσει τίθεσθαι τὰ ὅπλα πρὸς τοῦ λογιστικοῦ. The phrase is frequent in Xenophon's *Anabasis* in several military senses, e.g. εἰς τάξιν τὰ ὅπλα τίθεσθαι ii 2, 21 and v 4, 11 (Krüger's *Lexikon*, or Vollbrecht's *Wörterbuch*).

μηδὲ μεθ' ἐτέρων] Also in Thuc. ii 67 § 5, cf. v 48, οὐδ' ὑφ' ἐτέρων. vi 44 § 4, οὐδὲ μεθ' ἐτέρων. vii 59 § 1, μηδὲ μεθ' ἕτερα.

IX § 1. τῆς Σόλωνος πολιτείας—τὰ δημοτικώτατα.] Isocr. 7 § 16, ἐκείνην τὴν δημοκρατίαν, ἣν Σόλων μὲν ὁ δημοτικώτατος γενόμενος ἐνομοθέτησε. Dem. 18 § 6, Σόλων, εὖνους ὦν ὑμῖν καὶ δημοτικός. For Solon's relations to democracy see *Pol.* ii 12, 1273 b 35. In the language of Mr Newman's excellent paraphrase in vol. i p. 373, we are there told that 'certain persons regarded Solon as the destroyer of an extreme oligarchy, on the ruins of which he constructed the πατριος δημοκρατία, a wisely mixed constitution: they took him to have founded

πρῶτον μὲν καὶ μέγιστον τὸ μὴ δανείζειν ἐπὶ τοῖς σώμασιν, ἔπειτα τὸ ἐξεῖναι τῷ βουλομένῳ [τιμωρεῖν] ὑπὲρ τῶν ἀδικουμένων, τρίτον δὲ (<φ> μάλιστα φασιν ἰσχυκέναι τὸ πλήθος) ἢ εἰς τὸ δικ[αστή- 5 ριον] ἔφ[εσις] κύριος γὰρ ὧν ὁ δῆμος τῆς ψήφου, κύριος γίγνεται τῆς

4 τιμωρεῖν Paton, K-W (K³, B), cf. 19, 2; τιμωρεῖσθαι Wyse, H-L; δικάζεσθαι K¹; δίκην λαβεῖν (hiatu vitato) J W Headlam et Lipsius, coll. Plut. Sol. 18. 5 φ ins. H-L (K³, B); φ καὶ K-W; ἦ K¹. 6, 9, 13 ΓΙΝ (K-W).

the Areopagus, to have introduced the system of filling magistracies by election, and to have created the popular dicastery, thus as it were equipping the State with a complete set of new institutions.... To this view of Solon's work Aristotle objects: he says that Solon would seem to have found the council of the Areopagus, and the system of filling the magistracies by election, already established, and that he...left them as he found them, whereas he did institute the popular element in the constitution by founding the popular dicasteries. He appeals in support of his contention to the opinion of a second set of critics, who made Solon responsible for the existing extreme democracy. They complained that, so far from being the author of a mixed constitution, he overpowered the oligarchical element by the democratic, inasmuch as he gave supreme power to the popular dicastery. Armed with this judicial authority, the people became masters of the State; one statesman after another had to play into their hands, and so the extreme democracy gradually came into being. Aristotle, however, holds that these inquirers ascribed to Solon's institution of popular dicasteries consequences which would not have resulted from it, if it had not been for accidental circumstances. Solon was far from intending to found an extreme democracy; he gave, in fact, only a modicum of power to the people—enough to content them and no more—and reserved office for the better-to-do classes. On the other hand, he was not the contriver of an elaborate mixed constitution, but rather the founder of the beginnings of popular liberty; still less was he the undoer of the power of the Few. He left office in their hands, and gave the people only just enough power to make the holders of office govern well.'

μὴ δανείζειν κτλ.] 6 § 1. τὸ ἐξεῖναι—ἀδικουμένων] Plut. Sol. 18, οἰόμενος δὲ ἵπαρκεῖν τῇ τῶν πολλῶν ἀσθενείᾳ, παντὶ λαβεῖν δίκην ὑπὲρ τοῦ κακῶς πεπονηθότος ἔδωκε· καὶ γὰρ πληγέντος ἑτέρου ἢ βλαβέντος ἐξῆν τῷ δυναμένῳ καὶ βουλομένῳ

γράφεσθαι τὸν ἀδικοῦντα καὶ διώκειν, ὁρῶς ἐθίζοντος τοῦ νομοθέτου τοὺς πολίτας ὥσπερ ἐνὸς μέρους συναισθάνεσθαι καὶ συναλγεῖν ἀλλήλοις. τούτῳ δὲ τῷ νόμῳ συμφωνοῦντα λόγον αὐτοῦ διαμνημονεύουσιν. ἐρωτηθεὶς γὰρ, ὡς εἰκοιεν, ἥτις οἰκείται κάλλιστα τῶν πόλεων, "ἐκέλευν," εἶπεν, "ἐν ᾗ τῶν ἀδικουμένων οὐχ ἦττον οἱ μὴ ἀδικούμενοι προβάλλονται καὶ κολάζουσι τοὺς ἀδικοῦντας."

† εἰς τὸ δικαστήριον ἔφεσις] The constr. changes from the substantival use of the infinitive to an ordinary substantive. The eulogists of Solon, referred to in *Pol.* ii 12, 1273 b 41, recognise the δικαστήριον as the element which is δημοτικόν in his constitution; while his critics describe him as having subordinated the oligarchical element, κύριον ποιήσαντα τὸ δικαστήριον πάντων, κληρωτὸν ὄν. Aristotle himself subsequently mentions as one of the two elements in the necessary modicum of political power assigned to the people that of εὐθύνειν, i.e. calling the officials to account in the law-courts, μηδὲ γὰρ τούτου κύριος ὧν ὁ δῆμος δοῦλος ἂν εἴη καὶ πολέμιος. Plut. Sol. 18 (after saying of the θῆτες that τῷ συνεκκλησιάζειν καὶ δικάζειν μόνον μετείχον τῆς πολιτείας) adds: ὁ κατ' ἀρχάς μὲν οὐδέν, ὕστερον δὲ παμμέγεθες ἐφάνη· τὰ γὰρ πλεῖστα τῶν διαφορῶν ἐνέπιπτεν εἰς τοὺς δικαστάς. καὶ γὰρ ὅσα ταῖς ἀρχαῖς ἔταξε κρίνειν, ὁμοίως καὶ περὶ ἐκείνων εἰς τὸ δικαστήριον ἐφέσεις ἔδωκε τοῖς βουλομένοις. Grote (ii 325) holds that the popular dicasteries were not established by Solon, a view which is not in accordance with the text. He also points out (p. 326) that, although Solon laid the foundation of the Athenian democracy, his institutions were not democratical (as compared with those of Cleisthenes and Pericles). The dicasteries doubtless became more highly developed in later times, but of their existence in Solon's time for certain purposes, such as the control of officials, there can be no reasonable doubt. See Duncker, *Gesch. d. Alt.* vi 179, 180.

πολιτείας. ἔτι δὲ καὶ διὰ τὸ μὴ γεγρ[ά]φθ[αι το]ύς νόμους ἀπλῶς 2
μῆδὲ σαφῶς, ἀλλ' ὥσπερ ὁ περὶ τῶν κλήρων καὶ ἐπικλήρων,
ἀν[ά]γκ[η πο]λλὰς ἀμφισβητήσεις γίνεσθαι καὶ πάντα βραβεύειν
10 καὶ τὰ κοινὰ καὶ τὰ ἴδια τὸ δικα[στ]ήρ[ιον]. οἴονται μὲν οὖν τινὲς
ἐπίτηδες ἀσαφεῖς αὐτὸν ποιῆσαι τοὺς νόμους, ὅπως ἢ τῆς κρίσεως
[ὁ δ]ῆ[μος κ]ύριος. οὐ μὲν εἰκός, ἀλλὰ διὰ τὸ μὴ δύνασθαι καθόλου

9 πολλὰς Paton, Blass, K-W, K³; ἦν τὰς K¹; ἦν πολλὰς H-L sed deest spatium.
10 τὸ δικαστήριον K-W, K³, papyri lectio incerta (B): τὰ δικαστήρ[ια] K¹ (H-L), sed
propter tot generis neutri vocabula pluralia in contextu cumulata numerus singularis
videtur elegantior. 11 ἢ K³ (B); τι K-W (in papyro utrumvis legi potest). ὅπως
τι τῆς κρίσεως ὁ δῆμος ἢ κύριος K-W¹; 'aut τι delendum aut ὅπως ἢ τῆς κρίσεως ὁ
δῆμος κύριος (B) legendum' K-W²; ὅπως τῆς κρίσεως ὁ δῆμος ἢ κύριος H-L. 12—
13 περιλαβεῖν etiam ante καθόλογ scriptum et deinde deletum; πανταχοῦ sine
causa legendum suspicantur H-L.

§ 2. ἀπλῶς...σαφῶς] Dem. *Lept.* § 93, ἀπλὰ καὶ σαφῆ, Isaeus 11 § 32, ἀπλὰ καὶ γνώριμα μαθεῖν, Dem. 24 § 68, ἀπλῶς καὶ πᾶσι γνωρίμως γεγράφθαι. In all these passages perspicuity is described as a merit in legislative enactments. Here the obscurity of some of Solon's laws is said to have increased the powers of the people as interpreters of the law in the dicasteries.

ὁ περὶ τῶν κλήρων] The reference is to the law of intestate succession quoted in Dem. *Macart.* 43 § 51, p. 1067. Parts of this law are paraphrased or expressly cited in Isaeus 11 §§ 1, 2, and 7 § 20. The law of the ἐπικλήρος is quoted in Dem. 43 §§ 16, 54, and 46 § 22, ending with the words ἀνεπίδικον μὴ ἐξεῖναι ἔχειν μήτε κλήρον μήτε ἐπικλήρον. This law is referred to in Isaeus 3 §§ 64, 74 and elsewhere. Both laws may be fairly ascribed to Solon, and students of Isaeus will admit the ambiguity of certain clauses in them. The greater part of Plutarch's *Sol.* 20 is devoted to details of the law of the ἐπικλήρος, but the points there touched upon are curious rather than obscure. In the time of Aristophanes the decision of rival claims to the hand of an 'heiress' was one of the most cherished privileges of the Athenian dicast (*Vesp.* 583—587). Cf. *inf.* 42 § 5, περὶ κλήρου καὶ ἐπικλήρου, 50 § 6 ἐπικλήρου κακώσεως, and κλήρων καὶ ἐπικλήρων ἐπίδικασίαι, also 43 § 4.

ἀνάγκη] sc. ἦν. *Rhet.* i 1 § 8 ἀνάγκη ἐπὶ τοῖς κριταῖς καταλείπειν, *Eth.* 1137 b 15, ἀνάγκη μὲν εἰπεῖν καθόλου, μὴ οἶον τε δὲ ὁρθῶς.

οἴονται κτλ.] Plut. *Sol.* 18, λέγεται δὲ καὶ τοὺς νόμους ἀσαφέστερον γράψας καὶ πολλὰς ἀντιλήψεις ἔχοντας αὐξήσαι τὴν τῶν δικαστηρίων ἰσχύν· μὴ δυναμένους γὰρ

ὑπὸ τῶν νόμων διαλυθῆναι περὶ ὧν διεφέροντο συνέβαινεν αἰεὶ δεῖσθαι δικαστῶν καὶ πᾶν ἀγεῖν ἀμφισβήτημα πρὸς ἐκείνους, τρόπον τινὰ τῶν νόμων κυρίως ὄντας. 'It is hardly just to Plutarch' (says Grote) 'to make him responsible for the absurd remark that Solon rendered his laws intentionally obscure... We may well doubt whether it was ever seriously intended even by its author, whoever he may have been' (Grote, c. 11, ii 330). We now see that Plutarch quotes from the text, where the authors of this opinion are not specified. The opinion is only quoted to be rejected. The real cause for the obscurity of some of Solon's laws is introduced with the words οὐ μὲν εἰκός κτλ.

διὰ τὸ μὴ δύνασθαι (sc. Σόλωνα) καθόλου περιλαβεῖν τὸ βέλτιστον] 'owing to his being unable to attain the perfection of legislative expression while drawing up his laws in general terms.' It is characteristic of a legislator to deal with τὸ καθόλου, leaving the dicast to deal with the details. *Rhet.* i 1 § 7, ἡ μὲν τοῦ νομοθέτου κρίσις οὐ κατὰ μέρος ἀλλὰ περὶ μελλόντων τε καὶ καθόλου ἐστίν, 13 § 13, συμβαίνει δὲ τοῦτο (τὸ ἐπιεικές) τὰ μὲν ἀκόντων τὰ δὲ ἐκόντων τῶν νομοθετῶν, ἀκόντων μὲν ὅταν λάθῃ, ἐκόντων δ' ὅταν μὴ δύνωνται διορίσαι, ἀλλ' ἀναγκαῖον μὲν ἢ καθόλου εἰπεῖν, μὴ ἢ δὲ, ἀλλ' ὥς ἐπὶ τὸ πολὺ. *Eth. Nic.* v 14, 1137 b 15, *Pol.* iii 11, 1282 b 2, (those in authority must be) κύριους περὶ ὅσων ἐξαδυνατούσιν οἱ νόμοι λέγειν ἀκριβῶς διὰ τὸ μὴ ῥάδιον εἶναι καθόλου δηλῶσαι περιπατῶν, *Pol.* 1268 b 39, 1269 a 9, 1286 a 10.

περιλαβεῖν, here 'to define strictly, determine in express words, draw up in a legal form' (L and S), Plat. *Leg.* 823 b, θήρα

περιλαβεῖν τὸ βέλτιστον· οὐ γὰρ [δ]ί[κ]αιον ἐκ τῶν νῦν γιγνομένων ἀλλ' ἐκ τῆς ἄλλης πολιτείας θεωρεῖν τὴν ἐκείνου βούλησιν.

10. ἐν [μὲν οὖν τ]οῖς νόμοις ταῦτα δοκεῖ θεῖναι δημοτικά, πρὸ δὲ τῆς νομοθεσίας ποιῆσαι τὴν τῶν χρῶ[ν] ἀπο]κοπήν, καὶ μετὰ ταῦτα τὴν τε τῶν μέτρων καὶ σταθμῶν καὶ τὴν τοῦ 2 νομίσματος αὐξήσιν. ἐπ' ἐκείνου γὰρ ἐγένετο καὶ τὰ μέτρα μείζω 4

X 2 'aut ποιῆσαι fuit aut ποιήσας, certe non ποιήσασθαι' K-W; ποιήσας K-W, B; ποιῆσαι H-L. 4 ΔΥΖΗCIN littera Ζ incerta (K), non ΕΠΑΥΖΗCIN (K-W) nec ΚΑΤΑCΤΑCIN (H-L). ΜΕΙΖΩ (K, K-W), non ΜΕΙΩ (H-L).

γὰρ πάμπολύ τι πρᾶγμα ἐστὶ, περιειλημμένον ὀνόματι νῦν σχεδὸν ἐνί. Ar. *Eth. Nic.* v 4, 1130 b 3, ἐνὶ ὀνόματι περιλαβεῖν (embrace, include) ταῦτα πάντα, iii 12, 1117 b 21, τύπῳ περιλαβεῖν. *Pol.* iii 16, 1287 b 19, τὰ μὲν ἐνδέχεται τοῖς νόμοις περιληφθῆναι, vi 5, 1320 a 1, νόμοι οἱ περιλήφονται τὰ σφύοντα τὰς πολιτείας.

οὐ γὰρ δίκαιον—βούλησιν] One of the writer's favourite methods of reconstruction is 'inference from the present to the past, from existing circumstances to their presumable antecedents, from a given state of institutions to a former condition of the same.' We here find 'part of a formula for the critical application of this method,' or rather for the limitations under which it may be applied (Mr Macan, *J. H. S.*, xii 37 f.).

X § 1. πρὸ δὲ τῆς νομοθεσίας κτλ.] Solon's general legislation falls between the *σεισάχθεια* and the alteration of the currency. There is thus no direct connexion between the change in the coinage and the famous 'disburdening' ordinance. It was not by a modification of the monetary standard that Solon relieved the oppressed debtors; it was by an absolute cancelling of the debt. The opposite view was held by Androtion, whose opinion is quoted by Plutarch only to be rejected: *Sol.* 15, καίτοι τινὲς ἔγραψαν, ὡν ἐστὶν Ἀνδροτίων, οὐκ ἀποκοπὴν χρῶν, ἀλλὰ τόκων μετριότητι κουφισθέντας ἀγαπήσαι τοὺς πένητας, καὶ σεισάχθειαν ὀνομάσαι τὸ φιλανθρώπουμα τοῦτο καὶ τὴν αἶμα τούτῳ γενομένην τῶν τε μέτρων ἐπαύξησιν καὶ τοῦ νομίσματος τιμὴν. ἑκατὸν γὰρ ἐποίησε δραχμῶν τὴν μὲν πρότερον ἐβδόμηκοντα καὶ τριῶν οὖσαν, ὥστ' ἀριθμῶ μὲν ἴσον, δυνάμει δ' ἑλαττον ἀποδιδόντων, ὠφελεῖσθαι μὲν τοὺς ἐκτίνοντας μέγιστα μὴδὲν δὲ βλάπτεισθαι τοὺς κομιζομένους. οἱ δὲ πλείστοι πάντων ὁμοῦ τὴν συμβολαίων ἀναίρεσιν γενέσθαι τὴν σεισάχθειαν, καὶ τοῦτοις συνάδει μᾶλλον τὰ ποιήματα.

τῶν μέτρων καὶ σταθμῶν καὶ...τοῦ

νομίσματος αὐξήσιν] 'the augmentation of the measures and weights and of the currency.' Andoc. *De Myst.* 83 (the decree of Tisamenus), πολιτεύεσθαι Ἀθηναίους κατὰ τὰ πάτρια, νόμοις δὲ χρῆσθαι τοῖς Σόλωνος καὶ μέτροις καὶ σταθμοῖς. It was held by Boeckh (*Metrologie*, 1838, xv § 2) that Solon 'not only debased the coin but also altered the weights and measures.' Grote dissented from this opinion on the latter point, giving his reasons in the *Classical Museum*, i p. 25: 'I believe that the statement of Androtion...has no reference to the *medimnus* and *metretes*, and that we cannot even deduce from it the vague inference...that Solon made *some* new arrangement of the measures.' He interprets the words τῶν μέτρων ἐπαύξησιν (Plut.) of the monetary standard alone, referring them to the 'increased number of drachmae, which every mina and every talent were now made to contain.' He even adds that 'we know positively that Solon did not meddle with the weights.' He holds that it was 'for the express purpose of affording relief to debtors, that Solon degraded the monetary standard, and maintains that Solon 'would not choose such a moment for rearranging the liquid and dry measures.' The present passage conclusively confirms the opinion held by Boeckh.

τὴν τοῦ νομίσματος αὐξήσιν] refers to the fact that 73 old Aeginetan drachmas were replaced by 100 Attic drachmas, so that the same amount of silver was represented by a larger number of coins.

§ 2. τὰ μέτρα μείζω τῶν Φειδωνέων] Hdt. vi 127, Φειδῶνος τοῦ Ἀργείου τυράννου...τοῦ τὰ μέτρα ποιήσαντος τοῖς Πελοποννησίοις. The date of Pheidon is disputed. He is sometimes placed in Ol. 8=B.C. 748 (Pausan. vi 22, 2, followed by Unger, Duncker, and Busolt, i 140 n); sometimes (by altering the text of Pausanias) in Ol. 28=B.C. 668 (Weissenborn, followed by Curtius). Hdt. *l.c.* mentions a

5 τῶν Φειδωνείων, καὶ ἡ μὲν πρότερον [ἄγο]υσα παρα[πλήσ]ιον ἐβδομήκοντα δραχμὰς ἀνεπληρώθη ταῖς ἑκατόν. || ἦν δ' ὁ ἀρχαῖος [Col. 4.]

5 ἔλκουσα K-W, H-L, K³; ἄγουσα B; aut ἔλκουσα aut ἄγουσα, quorum hoc usitatus sit, legendum putat Wyse; cf. c. 51 § 3 τὸν σταθμὸν ἄγοντας. παρα[πλήσ]ιον K; παρὰ [μικρὸν] K-W; τρεῖς καὶ H-L; τὰς γ' καὶ B. 6 ταῖς: τότε εἰς H-L; εἰς (hiatu admissio) coniecerat Mahaffy (*Athenaeum*, 1891, p. 344), sed numerum omnibus notum indicat articulus.

son of Pheidon among the suitors of the daughter of Cleisthenes, despot of Sicyon, which would make Pheidon's date shortly before 600 B.C. The first of these dates is half a century before the beginning of Greek coinage, which may be placed about B.C. 700 (Busolt, i 355). The earliest authority for the statement that silver *coins* were first struck by Pheidon at Aegina is Ephorus, quoted by Strabo p. 376, Ἐφωρος δ' ἐν Αἰγίνῃ ἄργυρον πρῶτον κοπῆναι φησιν ὑπὸ Φειδῶνος, cf. ib. 358, μέτρα ἐξεύρε τὰ Φειδῶνια καλούμενα καὶ σταθμοὺς καὶ νόμισμα κεχαραγμένον τὸ τε ἄλλο καὶ τὸ ἀργυροῦν (cf. Busolt, i 144 n). This last is the only passage which describes Pheidon as an inventor of *weights*; and even here the epithet 'Pheidonian' is applied to the *μέτρα* alone. The *Marmor Parium*, ep. 30, connects him with silver coinage as well as with a reform in the measures of capacity: Φειδῶν ὁ Ἀργεῖος ἐδῆμενσε τὰ μέτρα... καὶ ἀνεσκεύασε ('reformed them') καὶ νόμισμα ἀργυροῦν ἐν Αἰγίνῃ ἐποίησεν. The *Etymologicum Magnum*, s. v. ὀβελίσκος, mentions his coinage, but implies that he made no change in standards of *weight*: πάντων δὲ πρῶτος Φειδῶν Ἀργεῖος νόμισμα ἔκοψεν ἐν Αἰγίνῃ· καὶ δοὺς τὸ νόμισμα καὶ ἀναλαβὼν τοὺς ὀβελίσκους (spits, or small bars, of metal), ἀνέθηκε τῇ ἐν Ἀργεῖ Ἡρᾷ, ἐπειδὴ δὲ τότε οἱ ὀβελίσκοι τὴν χεῖρα ἐπλήρου, τουτέστι τὴν δράκα (the grasp), ἡμεῖς, καίπερ μὴ πληροῦντες τὴν δράκα τοῖς ἐξ ὀβολοῖς, δραχμὴν αὐτὴν λέγομεν παρὰ τὸ δράξασθαι. ὅθεν ἔτι καὶ νῦν λέγομεν ὀβολοστάτην τὸν τοκιστήν, ἐπειδὴ σταθμοῖς [τοὺς ὀβελίσκους] addit Orion p. 118 'qui Heraclidis Pontici auctoritate utitur,' Gaisford] παρεδίδουν οἱ ἀρχαῖοι. The text mentions him solely in connexion with *μέτρα*, or 'measures of capacity,' and not in connexion with coinage or weights, the present section dealing in order with three topics (1) measures, (2) coinage, (3) weights, which must not be confounded with one another. Similarly, in another of the *πολιτεῖαι*, that of Argos (Rose, *Frag.* 480, 3, Pollux 10, 179) *μέτρα* alone are mentioned in connexion with Pheidon; εἴη δ' ἂν καὶ Φειδῶν

τι ἀγγεῖον ἐλαιρὸν ἀπὸ τῶν Φειδωνίων μέτρων ὠνομασμένον, ὑπὲρ ὧν ἐν Ἀργεῖα πολιτεία Ἀριστοτέλης λέγει.

The present passage tells us for the first time that the Pheidonian measures of capacity were smaller than the corresponding Attic measures. The Pheidonian scale of measures may be identified with the Babylonian, and the ratio of the Pheidonian to the Solonian measures may accordingly be 12 : 13. Thus, in liquid measure, the Solonian *μετρητής* is already known to have contained about 39 *litres*, or 8½ gallons: the Pheidonian *μετρητής* would therefore contain about 36 *litres*, or rather less than 8 gallons, and be identical with the Babylonian *epha* and the old Egyptian *artabe*. Similarly, in dry measure, the Solonian *μέδιμνος* contained about 52 *litres*, or about 12 gallons; and the Pheidonian, 48 *litres*, or about 11 gallons (Hultsch, *Neue Jahrb. für Philologie*, 1891, pp. 263—4). For the opinion held hitherto, that the Pheidonian measures were larger than the Solonian, cf. Duncker, *Hist. Gr.* Bk 11, c. ii, vol. ii 26 E, T.

ἡ μὲν—ἑκατόν] According to the statement of Androtion in Plut. *Sol.* 15, Solon, in introducing a new standard for silver coin, lowered the standard to the extent of 27 per cent. 100 drachmas of the new standard contained no more silver than 73 of the old. Thus the new mina was equivalent in weight to 73 un-reduced drachmas. As 73 : 100 :: 100 : 137; hence, 100 drachmas of the old standard would be equivalent in weight to 137 of the new. 73 to 100 is precisely the proportion between the Attic drachmas of 67½ *grs.* and average Aeginetan drachmas of rather over 90 *grs.* (73 : 100 :: 67½ : 92·4), the Attic mina being to the Aeginetan as 100 : 137 (Head's *Historia Numorum*, p. 309). If, however, instead of taking Aeginetan coins of average weight, we take those of actual maximum weight, the stater of two drachmae weighs 194 *grs.* The corresponding Attic coin weighs 135 *grs.* Then as 194 : 135 :: 100 : 69¾. Hence the number of drachmas of the Aeginetan

χαρακτήρ διδραχμον. ἐποίησε δὲ καὶ σταθμὰ πρὸς τ[ὸ] νόμισμα ;

7 χαρακτήρ διδράχμον <βοῦς> ? Wyse, coll. Poll. ix 60; χαρακτήρ <βοῦς καὶ τὸ νόμισμα> διδραχμον J B Mayor. σταθμὰ K-W, K², B; σταθμὸν K¹; πρὸς τὸν σταθμὸν τὸ νόμισμα ? H-L.

standard, which would be equivalent in weight to 100 Attic drachmas, would be about 69½. Thus, according as we take average or maximum weights, Mr Kenyon's text, *παραπλήσιον ἐβδομήκοντα δραχμάς*, will mean either 73 or 69½.—The reading proposed by Blass gives us exactly 73 drachmas.

The new standard introduced by Solon in place of the Aeginetan has been convincingly proved by Mommsen (*Röm. Münzwesen*, p. 43 sq., *Mon. Rom.* ed. Blacas, i 29 sqq., 73 sq.) to have been the Euboic, and henceforth Euboean coins would circulate freely in Attica, side by side with the new Attic money (Head, p. 310, cf. 302 and xxxviii—xlii). Thus Solon's reform of the currency was not necessarily due to economic reasons connected with the debts of the poorer citizens. It had a commercial object and was intended to facilitate trade with the neighbouring island of Euboea (especially with Chalcis and Eretria), and with other Greek cities (for example, Cyrene), where the Euboic standard prevailed. It would also promote trade with Corinth, where a similar standard was in use (Busolt, i p. 525), and with the Greek colonies in Chalcidice and Sicily (Köhler, in *Mittheil. d. d. arch. Inst.* 1885, x 151—157). It has further been suggested by Mr R. S. Poole (*Dict. of the Bible*, art. 'Weights and Measures') that the new Solonian standard was borrowed from Egypt. The Egyptian unit of weight was 140 grains, and the Solonian didrachm weighed 135 grains. Thus, whether the standard was actually borrowed from Egypt or Euboea, the Solonian coinage would facilitate intercourse with Egypt as well as with the countries where the Euboic standard was in use.

In this connexion it is interesting to notice that, after reforming the currency, and thus facilitating trade with countries employing either the Euboic or the Egyptian standard, Solon set out for Egypt, where he stayed for ten years, one of his avowed objects being the pursuit of commerce.

ἀνεπληρώθη] 'was raised to the full number of a hundred drachmas.'

ἡν-διδραχμον] 'the primitive type of coin was the two-drachma piece.' χαρακτήρ means (1), as here, τὸ κεχαραγμένον,

that which has a stamp impressed upon it, cf. Plato, *Politicus*, 289 B, ἡ τοῦ νομίματος ἰδέα καὶ σφραγίδων καὶ παντὸς χαρακτήρος: (2) the stamp itself, as in *Ar. Pol.* i 9, 1257 a 40 χαρακτήρα ἐπιβαλόντων, ἡν' ἀπολύση τῆς μετρήσεως αὐτοῦς· ὁ γὰρ χαρακτήρ ἐτέθη τοῦ πόσον σημείον. *Oecon.* ii 5 (of Hippias), τὸ δὲ νόμισμα τὸ ὃν Ἀθηναῖοι ἀδοκίμον ἐποίησεν· τάς δὲ τιμὰς ἐκέλευσε πρὸς αὐτὸν ἀνακομίζειν· συνελθόντων δὲ ἐπὶ τῷ κόσμῳ ἕτερον χαρακτήρα ἐξέδωκε τὸ αὐτὸ ἀργύριον.

Before the time of Solon, the only money current in Attica, as well as in Boeotia and Peloponnesus, seems to have been the Aeginetan didrachm of about 194 grains; but there are no Athenian coins extant of Aeginetan weight. Thus, apart from mere tradition (*Plut. Thes.* 25 ἔκοψε δὲ καὶ νόμισμα βοῦν ἐγχαράξας), there is no proof of any coins having been struck at Athens before Solon (Head, p. xlii). The text must therefore refer to the old Aeginetan didrachms in circulation in Attica before the time of Solon. These coins had on the obverse a tortoise with a plain shell and a row of dots down the middle of its back; and, on the reverse, an incuse square divided into eight triangular compartments, of which four or more are deeply hollowed out (Head, *l.c.*, p. 332, fig. 220).



From the time of Solon the standard coin of Athens was the tetradrachm of the



full Euboic weight of 270 grains. The common type is a head of Athena of rude

8 τ[ρ]εῖς καὶ ἐξήκοντα μνᾶς τὸ τάλαντον ἀγούσας, καὶ ἐπιδιενεμήθησαν [αἰ] μναὶ τῷ στατήρι καὶ τοῖς ἄλλοις σταθμοῖς.

8 τρεῖς καὶ secluit κ; ante ἐβδομήκοντα (v. 6) posuerunt H-L, alii; defendit Ridgeway, retinuerunt K-W, B.

archaic style with large prominent eye, wearing a round earring and close-fitting crested helmet: on the obverse is an owl with head facing and wings closed; also an olive-spray and the letters ΑΘΕ (*ib.* p. 310, fig. 209). After the time of Solon, coins of Eretria, stamped with the head of a bull, together with other Euboean coins, may have circulated in Attica, side by side with the Solonian 'owls.' But there is no authority earlier than Philochorus (in the generation after Aristotle), for stating that the early didrachms, which preceded the Solonian 'owls,' were impressed with the figure of an ox (Head, *l.c.* p. 309). Cf. Schol. on Arist. *Av.* 1106, ἡ γλαυῦξ ἐπὶ χαράγματος ἦν τετραδράχμιον, ὡς Φιλόχορος· ἐκλήθη δὲ τὸ νόμισμα τὸ τετραδράχμιον τότε [ἡ] γλαυῦξ. ἦν γὰρ γλαυῦξ ἐπίσημον καὶ πρόσωπον Ἀθηναίης, τῶν πρότερον διδράχμιον ὄντων ἐπίσημον δὲ βοῦν ἔχόντων. Pollux, ix 60, διδραχμιον· τὸ παλαιὸν δὲ τοῦτ' ἦν Ἀθηναίοις νόμισμα, καὶ ἐκαλεῖτο βοῦς, ὅτι βοῦν εἶχεν ἐντετυπωμένον. We cannot, however, ignore the fact that archaic coins of Euboea, bearing the bull's head, have repeatedly been found in Attica (cf. Koehler, *Mittheilungen*, ix 357—9).

ἐποίησε—ἀγούσας] 'He also instituted standard weights corresponding to the coinage, 63 minae weighing the talent,' *i.e.* 'at the rate of 63 minae to the weight of a talent.' Cf. c. 51, τὸν σταθμὸν ἀγοντας ὅσον ἂν αὐτοὶ τάξωσιν.

Much difficulty has been felt respecting these 63 minae, on the ground that, in every standard, a talent invariably consists of 60 minae. Thus it is ingeniously suggested by Mr Kenyon and others that τρεῖς καὶ 'was written as an explanation of παραπλήσιον above, and was subsequently inserted in the text in the wrong place,' and this suggestion has been regarded with considerable favour. But the text, as it stands, admits of a ready explanation if we regard it as stating the *weight* of the Solonian currency as compared with the average weight of the corresponding coins of the Euboic standard.

The average weight for the Solonian silver coinage was slightly higher than that of the Euboic. Solon made his new talent consist of 63 old minae of the average Euboic weight; and this talent was, like

all other talents, divided into 60 minae. As the post-Solonian mina weighed about 6750 grains, the talent must have weighed 60 times that amount, or 405,000 grains. To obtain the weight of the mina superseded by the Solonian mina, we divide by 63 and the result is 6428½ grains. A stater, or fiftieth part of this, is 128½ grains. In other terms, 63 : 60 : 135 : 128½. This is in sufficiently close agreement with the actual weights of the coins of Euboea, as compared with those of Attica. The two-drachma piece of the former weighs 130 grains (only one grain and three-sevenths more than the weight above mentioned); that of the latter, 135 grains. The substance of this explanation is due to Prof. Ridgeway, who also shews that, while the Aeginetan standard was used for *silver*, the Euboic was used for gold and silver, being in fact the only standard used for *gold*. Solon framed for the coinage of Athens a standard founded on that already in use for all transactions in gold. Possibly to adjust his silver currency to the standard gold unit, he augmented the silver standard, making 63 old minas go to his new talent of 60 minae. Thus, while about 70 Aeginetan drachmas are equal in weight to 100 Attic drachmas, rather less than 63, or, strictly speaking, 62⅔ Euboic minas are equal in weight to 60 of the Solonian standard.

The above note refers to the *average* weight of coins of the Euboic standard. In the case of coins of *full* weight, that standard is practically identical with the Solonian, the staters of *both* weighing 135 grains (see Head's *Brit. Mus. Cat. of Coins of Corinth*, 1889, p. xix).

ἐπιδιενεμήθησαν] 'The minae were divided into fractions consisting of (*lit.* 'were apportioned out by') the *stater* and the other weights.' ἐπιδιανέμω, "'to distribute besides,' Philo 2, 651; τῶν τι Josephus, *B. J.* 2, 6, 3" (L and S).

στατήρ is the general term for a standard unit of weight and (more frequently) of money. It here denotes the weight of a fiftieth part of a mina. The weights here meant are probably coin-weights alone, market-weights being apparently left out of consideration. Solon made no change in the *weights used in com-*

11. διατάξας δὲ τὴν πολιτείαν ὄνπερ εἴρηται τρόπον, ἐπειδὴ προσιόντες αὐτῷ περὶ τῶν νόμων ἠνώχλουν, τὰ μὲν ἐπιτιμῶντες τὰ δὲ ἀνακρίνοντας, βουλόμενος μήτε ταῦτα κινεῖν μήτ' ἀπεχθάνεσθαι παρῶν, ἀποδημίαν ἐποίησατο κατ' ἐμπορί[αν] ἅμα καὶ θεωρίαν εἰς Αἴγυπτον, [εἰπ]ὼν ὡς οὐ[χ ἤξ]ει δέκα ἐτῶν· οὐ γὰρ 5 οἷεσθαι δίκαιον εἶναι [το]ύς νόμους ἐξηγεῖσθαι παρὼν ἀλλ' ἕκαστον 2 τὰ γεγραμμένα ποιῆσαι. ἅμα δὲ καὶ συνέβαιν[εν] αὐτῷ τῶν τε γνωρίμων διαφόρους γεγενῆσθαι πολλοὺς διὰ τὰς τῶν χρεῶν ἀποκοπά[ς, κ]αὶ τὰς στάσεις ἀμφοτέρας μεταθέσθαι διὰ τὸ παρὰ δόξαν αὐτοῖς γενέσθαι τὴν κατάστασιν. ὁ μὲν γὰρ δῆμος ᾤετο 10

XI 2 ΕΝΩΧΛΟΥΝ (K¹, K-W, B): ἠνώχλουν J B Mayor (H-L, K³); verbum in codicibus optimis augmentum duplex habere constat. 3 ΚΕΙΝΕΙΝ. 5 εἰπὼν ὡς οὐχ ἤξει Wessely (K³, B); λέγων ὡς οὐχ ἤξει coniecerat van Leeuwen; [περὶ Κα]νῶπου [πόλ]ει K¹. 6 δίκαιος Jackson (H-L). 7 ποιῆσαι K, H-L: ποιεῖν K-W, B.

K...CTACIN

10 THNIC ΑΝΤΑΞΙΝ: τὴν οὖσαν κατάστασιν K¹; τὴν κατάστασιν K-W, B; τὴν οὖσαν τάξιν H-L.

TESTIMONIA. 2—5 Heraclidis Epitoma, Rose, Frag. 611, 3³, ὡς δὲ διώχλουν (codd.; δ' ἐνώχλουν K-W) αὐτῷ τινὲς περὶ τῶν νόμων, ἀπεδήμησεν εἰς Αἴγυπτον.

merce, the Aeginetan mina being still retained unaltered (see Dr Percy Gardner on *Pondera*, in Smith's *Dict. Ant.* ii p. 449 b).

XI § 1. διατάξας—ποιῆσαι] Plut. *Sol.* 25, ἐπεὶ δὲ τῶν νόμων εἰσενεχθέντων ἔνιοι τῷ Σόλωνι καθ' ἑκάστην προσήσαν ἡμέραν ἐπαινούντες ἢ ψέγοντες ἢ συμβουλεύοντες ἐμβάλλειν τοῖς γεγραμμένοις ὅ τι τύχοιεν ἢ ἀφαιρεῖν, πλείστοι δ' ἦσαν οἱ πυνθανόμενοι καὶ ἀνακρίνοντας καὶ κελεύοντες αὐτὸν ὅπως ἕκαστον ἔχει καὶ πρὸς ἣν κείται διάνοιαν ἐπεκιδάσκειν καὶ σαφηνίζειν, ὁρῶν, ὅτι ταῦτα καὶ τὸ πράττειν ἀτοπον καὶ τὸ μὴ πράττειν ἐπιφθονον, ὅλως δὲ ταῖς ἀπορίαις ὑπεκστήναι βουλόμενος καὶ διαφυγεῖν τὸ δυσάρεστον καὶ φιλαίτιον τῶν πολιτῶν (ἐργασίᾳ γὰρ ἐν μεγάλοις πᾶσιν ἀδεῖν χαλεπὸν, ὡς αὐτὸς εἰρηκε), πρόσχημα τῆς πλάνης τὴν ναυκληρίαν ποιησάμενος ἐξέπλευσε δεκαετὴ παρὰ τῶν Ἀθηναίων ἀποδημίαν αἰτησάμενος. ἤλπιζε γὰρ ἐν τῷ χρόνῳ τούτῳ καὶ τοῖς νόμοις αὐτοὺς ἔσεσθαι συνήθεis. πρῶτον μὲν οὖν εἰς Αἴγυπτον ἀφίκετο καὶ διέτριψεν, ὡς αὐτὸς φησι, Νείλου ἐπὶ προχοῇσι Κανωβίδος ἐγγύθεν ἀκτῆς.

ἠνώχλουν] This form is found in Xen. *Cyr.* v 3, 56, Isocr. 5 § 53, Aeschin. i § 58, Dem. *Lacr.* 16, *Olym.* 19. In *Lacr.* 30 the MSS vary between ἐνώχλου-μεν (Σ and other MSS), ἐνωχλοῦμεν (Aug. 1), ἠνωχλοῦμεν (*vulgo*). The *Rhet. ad Alex.* 1445 b 2 has ἠνώχλησαν. In Aeschin. 3 § 44 the MSS vary between

ἠνωχλεῖτο (Bekker, Franke, Schultz), and ἐνωχλεῖτο. Voemel, *Proleg. Dem.* § 67, quotes Photius: ἠνείχετο καὶ ἠνώχλει... κοινὸν τῶν Ἀπτικῶν ἰδίωμα. See also Lobbeck's *Phrynichus*, p. 154.

ἀποδημίαν ἐποίησατο] c. 13 *init.* δέκα ἐτῶν] For the fact cf. Hdt. i 29, ἀπεδήμησε ἔτεα δέκα. For the construction, cf. *ib.* vi 58, ἐπεὰν θάψωσι, ἀγορὴ δέκα ἡμερῶν οὐκ ἴσταται σφι. Xen. *Anab.* i 7, 18, οὐ μαχεῖται δέκα ἡμερῶν. Plat. *Gorg.* 516 D, ἵνα αὐτοῦ δέκα ἐτῶν μὴ ἀκούσειαν τῆς φωνῆς (of Cimon's exile).

οὐ γὰρ οἰεσθαι δίκαιον εἶναι—παρῶν] The nom. c. inf. after δίκαιον εἶναι may perhaps be defended (1) by Dem. 15 § 16, ὡν οὐδενὸς αὐτοῖς δοῦναι δίκην δίκαιον ἂν εἶναι (where, however, several editors prefer δίκαιοι ἂν, which involves a *hiatus*); (2) by Dem. *Prooem.* p. 1439, 14, ἐγὼ μὲν δὴ δίκαιον ὑπείληφα πρῶτον ἀπάντων αὐτὸς εἰπεῖν. In the text the construction after δίκαιον εἶναι is apparently identical with that often found after δεῖν (Rehdantz, *Ind. Dem.* s. v. οἰεσθαι).

§ 2. ἅμα δὲ καὶ κτλ.] Plut. *Sol.* 16 *init.*, ἥρεσε δ' οὐδετέρους, ἀλλ' ἐλόγησε καὶ τοὺς πλουσίους ἀνελὼν τὰ συμβόλαια καὶ μᾶλλον ἔτι τοὺς πένητας, ὅτι γῆς ἀναδασμὸν οὐκ ἐποίησεν ἐλπίσασιν αὐτοῖς.

μεταθέσθαι] 'changed their opinion with regard to him,' i.e. 'were alienated from him.'

ὁ μὲν γὰρ δῆμος κτλ.] Plut. *Sol.* 14, Φανίας ὁ Λέσβιος αὐτὸν ἰστορεῖ τὸν Σόλωνα

πάντ' ἀνάδαστα ποιήσῃεν αὐτόν, οἱ δὲ γνώριμοι [πά]λιν ἢ τὴν αὐτὴν τάξιν ἀποδώσῃεν ἢ [μικρὸν] παραλλάξ[ειν]. ὁ δὲ ἄμφοτέροις ἡναντιώθη, καὶ ἔξον αὐτῷ μεθ' ὁποτέρων ἐβούλετο συστά[ντι] τυραννεῖν, εἴλετο πρὸς ἀμφοτέρους ἀπεχθέσθαι σώσας τὴν πατρίδα
15 καὶ τὰ βέ[λτι]στα νομοθετήσας.

12. ταῦτα δ' ὅτι τοῦτον <τὸν> τρόπον ἔσχεν οἱ τ' ἄλλοι συμφωνοῦσι πάντες, καὶ αὐτὸς ἐν τῇ ποιήσει μέ[μν]ηται περὶ αὐτῶν ἐν τοῖσδε·

δῆμῳ μὲν γὰρ ἔδωκα τόσον γέρας ὅσσον ἀπαρ[κεῖ],
5 τιμῆς οὐτ' ἀφελὼν οὐτ' ἐπορεζάμενος.
οἱ δ' εἶχον δύναμιν καὶ χρήμασιν ἦσαν ἀγητο[ί],
καὶ τοῖς ἐφρασάμην μηδὲν ἀ[ει]κὲς ἔχειν.
ἔστην δ' ἀμφιβαλὼν κρατερὸν σάκος ἀμφοτέροισι,
ν[ι]κᾶν δ' οὐκ εἴασ' οὐδετέρους ἀδίκως.

10 πάλιν δ' ἀποφαινόμενος περὶ τοῦ πλήθους, ὡς α[ὕτ]ῳ δεῖ χρῆσθαι· 2
δῆμος δ' ὧδ' ἂν ἄριστα σὺν ἡγεμόνεσσιν ἔποιτο,
μήτε λίαν ἀν[ε]θεὶς μήτε βιαζόμενος.

11 ἡ scrips. K-W², cf. *Pol.* 1296 a 40 ταύτην ἀποδοῦναι τὴν τάξιν: εἰς (K, H-L), secl. K-W¹, B.

12 ἡ [σ[μικρὸν] παραλλάξ[ειν] ὁ δὲ] Blass (K-W, H-L, K²); lacuna in altera ρ discerni putat K, in altera spatium plurium litterarum capax superesse. μικρὸν K-W.

13 ΗΒΟΥΛΕΤΟ (K-W, B), quod in titulis Atticis ante annum 300 A.C. non apparet, Meisterhans, p. 134².

14 ΑΠΕΧΘΕΣΘΗΝΑΙ.

XII 1 <τὸν> propter homoeoteleuton exciderat. εἶχεν K-W. 4 ΔΗΜΟΙ. γέρας: κράτος Plut. ἀπαρκεῖ: ἐπαρκεῖ Plut. (B), ubi ἀπαρκεῖ coniecerat Coraëus: ἀπαρκεῖν H-L (nisi forte ἀπῆρκει legendum).

5—6 ΑΠΟΡΕΖΑΜΕΝΟΙ.

7 τοῖς' H-L.

12 λίην Plut.

βιαζόμενος: πιεζόμενος Plut.

TESTIMONIA. XII 4—9 Plut. *Sol.* 18.

11—14 Plut. *Comp. Sol. et Popl.* 2.

χρησάμενον ἀπάτη πρὸς ἀμφοτέρους ἐπὶ σωτηρίᾳ τῆς πόλεως ὑποσχέσθαι κρύφα τοῖς μὲν ἀπὸροις τὴν νύμφην, τοῖς δὲ χρηματικοῖς βεβαίωσιν τῶν συμβολαίων.

ἀνάδαστα] Dem. 24 § 149, γῆς ἀναδασμόν, Plut. *Leg.* 684.

ἔξον αὐτῷ κτλ.] Paraphrased by Aristides, ii 360 Dind., παρὼν αὐτῷ στασιαζούσης τῆς πόλεως ὁποτέρων βούλοιο προστάντι τυραννεῖν, ἀπεχθάνεσθαι μάλλον ἀμφοτέροις εἴλετο ὑπὲρ τοῦ δικαίου.

XII § 1. δῆμῳ—ἀδίκως] These six lines are quoted in Plut. *Sol.* 18 = frag. 5 Bergk.

l. 4. ἀπαρκεῖ] 'is sufficient,' as in Aesch. *Pers.* 474, Soph. *O. C.* 1769, Eur. frag. 892, 4 Nauck², ὦν οὐκ ἀπαρκεῖ πλησμονῇ, Arist. frag. 395 οὐκ ἀπῆρκει, 'it was not enough' (L and S). Grote (ii 326), who had before him Plutarch's

reading ἐπαρκεῖ, translates: 'I gave to the people as much strength as sufficed for their needs'; but ἐπαρκεῖν must mean either (a) 'to supply' or (b) 'to be strong enough' (whether to help or to hinder). Plutarch's ἐπαρκεῖ is the only instance of the absolute use of the verb given in L and S, except Soph. *Ant.* 612, ἐπαρκέσει νόμος ὧδ', 'this law shall prevail' or 'hold good,' = διαρκέσει. Such is the satisfactory explanation given by Professor Jebb, who adds that in the only other instance, i.e. in Plutarch's quotation from Solon, 'we must surely read ἀπαρκεῖ with Coraëus.' This opinion is conclusively confirmed by the reading given us by the papyrus.

§ 2. δῆμος—βιαζόμενος] quoted in Plut. *Solomis et Poplicolae comparatio*, c. 2; frag. 6 Bergk.

- τίκτει γὰρ κόρος ὕβριν, ὅταν πολὺς ὄλβος ἔπητ[αι]
 ἀνθρώποισιν ὅσοις μὴ νόος ἄρτιος ᾖ.
 3 καὶ πάλιν δ' [ἐτέρω]θί που λέγει περὶ τῶν διανείμασθαι τὴν γῆν 15
 βουλομένων·
 οἱ δ' ἐφ' ἀρπαγαῖσιν ἦλθον, ἐλπ[ι]δ' εἰ]χον ἀφνεάν,
 καδόκουν ἕκαστος αὐτῶν ὄλβον εὐρήσειν πολλύν,
 καί με κωτίλλοντα λείως τραχὺν ἐκφανεῖν νόον.
 χαῦνα μὲν τότε' ἐφράσαντο, νῦν δέ μοι χολοῦμαι 20
 λο[ξὸν] ὁ[φθαλμ]οῖς ὁρῶσι πάντες ὥστε δῆϊον.
 οὐ χρεῶν' ἂ μὲν γὰρ εἶπα σὺν θεοῖσιν ἦν[υ]σα],
 [ἄλλα δ' οὐ μ[α]τὴν ἔερδ[ο]ν, οὐδέ μοι τυραννίδος
 ἀνδάνει βία τι [ρέξ]ειν, οὐδὲ πιε[ί]ρα]ς χθονὸς
 πατρίδος κακοῖσιν ἐσθλοὺς ἰσομοιρίαν ἔχειν. 25

13 πολὺς: κακῶ Theognis 153. 14 ἀνθρώπων καὶ ὅτῳ Theognis 154. 15 καὶ secl. κ-w. δ' ἐτέρωθί που R D Hicks, Wyse, Sidgwick, idem ego quoque concieram (κ-w, κ³, B); δ' ἄλλοθι που J B Mayor, Bywater, Blass; ἀλλαχόθι που Naber (H-L); διαγνώθι ποῦ κ¹. διανείμασθαι H-L. 17 οἱ δ' ἐφ' ἀρπαγαῖσιν ἐλπίδ' ἦλθ' εἶχον? κ-w. 18 'Fortasse αὐτὸς' Richards. 21 ὀφθαλμοῖς' B. ΔΗΙΟΝ (κ-w, κ³, B): δῆϊοι in Plutarcho Reiskium secutus Bergk (κ¹, H-L). 22 ἂ μὲν γὰρ ἀέλπτα Aristidis (ii 536) codices ΓΘ; ἅμα γὰρ ἀέλπτα Stephanus, S Jebb; ἂ μὲν ἀέλπτα coniecit Gaisford, recepit Bergk, versus initium arbitrati. 23 In Aristidis loco ἄλλα coniecit Gaisford; legebatur ἅμα. οὐ Bury, H-L, κ-w, κ³, B: αὐ in Aristide Bergk (κ¹). 24 ἀνδάνει κτλ.: ἦνδανεν (Richards) βίαια λήματ' H-L.

TESTIMONIA. 20, 21 Plut. Sol. 16.

22—23 Aristid. ii 536.

τίκτει—ἐπηται] quoted as Solon's by Clemens Alexandrinus (*Stromateus*, vi 740): Σόλωνος δὲ ποιήσαντος· τίκτει γὰρ (v. l. τοι) κτλ. ἀντικρὺς ὁ Θεόγνης γράφει· τίκτει τοι κόρος ὕβριν ὅταν κακῶ ὄλβος ἐπηται (Theognis 153, followed by the line ἀνθρώπων, καὶ ὅτῳ μὴ νόος ἄρτιος ᾖ). The Schol. on Pindar *Ol.* xiii 12 cites the first line as 'Homer's.' In the Proverbs of Diogenianus, viii 22, it appears in the form τίκτει τοι—κακῶ ἀνδρὶ παρείη.

Diog. Laert. i 59 quotes, among the apophthegms of Solon; καὶ τὸν μὲν κόρον ὑπὸ τοῦ πλοῦτου γεννᾶσθαι, τὴν δὲ ὕβριν ὑπὸ τοῦ κόρου.

§ 3. καὶ πάλιν δ'] καί—δὲ is common in Ar.; e. g. *Pol.* 1252 a 13, 1254 b 24, 1287 a 7, 1297 b 16; and especially in *Ethics* iv, viii, ix, x; 'adjungit autem καί—δὲ rem novam, saepe tam leni modo, ut idem fere valeat atque τέ. Etiam saepius quam Aristoteles Theophrastus iis particulis utitur' (In the *Historia Plantarum* there are about 100 instances; in the *Characters* more than 700)—Eucken, *De Ar. dicendi ratione*, i 32.

ἐτέρωθί που λέγει] Ar. *de Anima* i 2,

404 b 2 ('Ἀναξαγόρας), πολλὰ τοῦ μὲν γὰρ τὸ αἶτιον τοῦ καλῶς καὶ ὀρθῶς τὸν νοῦν λέγει, ἐτέρωθι δὲ τούτου εἶναι τὴν ψυχὴν, *De Partibus Animalium*, iii 2, 663 b 3, ἐτέρωθι που τοῦ σώματος. Plut. Sol. 2, ἀλλ' ἐτέρωθι λέγει (of Solon).

ll. 17—25. οἱ δ' ἐφ' ἀρπαγαῖσιν—ἐχειν] Lines 17—19, 24 and 25 are entirely new; 20 and 21 are quoted by Plutarch *Sol.* 16; part of 22, 23 by Aristides, ii 536 Dind., ὁ δὲ δὴ Σόλων καὶ βιβλίον ἐξεπίτηδες πεποίηκεν... εἰς αὐτὸν καὶ τὴν ἑαυτοῦ πολιτείαν, ἐν ᾧ ἄλλα τε δὴ λέγει καὶ ταῦτα· ἂ μὲν—ἐρδον. Two other fragments in the same metre are assigned by Bergk to the same poem. The first of these is described in Plut. *Sol.* 14 as addressed πρὸς Φῶκον; the second is quoted by Plutarch immediately afterwards, beginning with οὐκ ἔφην Σόλων βαθύφρων.

l. 19. καί με κωτίλλοντα—νόον] 'and that I, though smoothly glozing, would reveal my rude intent.' ἐκφανεῖν cannot be translated as though it were synonymous with κρύψαι. For κωτίλλοντα λείως, cf. Theognis 852, ὅς τὸν ἐταῖρον μαλθακά κωτίλλων ἐξαπατᾶν ἐθέλει.

26 [πάλιν] δὲ καὶ περὶ τῆς ἀπ[οκ]οπῆς τῶν χ[ρε]ῶν καὶ τῶν δουλευόν- 4
των μὲν πρότερον ἐλευθερωθέντων δὲ διὰ τὴν σεισάχθει[αν].

ἐγὼ δὲ τῶν μὲν οὐνεκα ξυνήγαγον

26 ἀποκοπῆς τῶν χρεῶν Wessely (K³, B): ἀπο[ρί]ας τῆς τῶν [πενήτ]ων K¹ (H-L); ἀπ[ορί]ας τῆς τῶν [ὑπόχρε]ων K-W². 26—52 δουλευόντων—ἐχρώθη πόλιν in fragmenti Berolinensis pagina prima continentur. 27 <τότε> διὰ H-L. 28 οὐνεκα, in poetis Atticis a criticis suspectum, saeculi quinti et sexti in titulis legitur, CIA iv 6 491, 8 ἀρετῆς οὐνεκα καὶ φίλίας (saec. v), CIA i 487, 1 οὐνεκα πιστὸς ἔφυς (saec. vi—v). Meisterhans, p. 177². εἵνεκ' K-W. εἵνεκα ξυνήγαγον Platt, coll. Pol. 1285 ὁ γὰρ διὰ τὸ συναγαγεῖν (τὸ πλῆθος) ἐγίνοντο βασιλεῖς ἐκόντων. οὐνεκα ξυνήγαγον H-L. Equidem ΟΥΝΕΚΑΞΥΝΗΓΑΓΟΝ in papyro cerni posse puto, recte tamen animadvertit K supra litteram Z scriptum esse ο, et litteras ΓΑΓ litteris ΛΑΤ aut CΑΤ prorsus esse similes. οὐνεκ' ἀξονήλατον K¹; εἵνεκ' ἀξονήλατον K-W¹, ἀξονήλατον K-W². οὐνεκα ξενήλατον Jackson et Tyrrell (cf. Plut. Sol. 13 ἐπὶ τὴν ξένην πιτρασκόμενοι, ib. 15 ἀνήγαγεν ἀπὸ ξένης, et inf. vv. 36—39). οὐνεκ' ἐξανάγαγον van Leeuwen. Aut ζυγήλατον (quod nusquam adhuc inventum est) aut ζυγηφόρον (quod a papyri scriptura nimis remotum est) Marindin. τῶν μὲν οὐνεκ' ἀξονήλατον δῆμον, τί τούτων πρὶν τυχεῖν ἐπασάμην; quondam Blass, coll. ἀρματηλατεῖν (Hdt. Xen.), ζευγηλατεῖν (Xen.), πόλιν ναυκληρεῖν (Aesch. S. C. T. 652, Soph. Ant. 994); eadem fere Crusius (Philol. L p. 177). τῶν μὲν οὐνεκα ξυνήγαγον δῆμον, τί τούτων πρὶν τυχεῖν ἐπασάμην; R C Jebb, cuius interpretationem unice veram esse patet. ξυνήγαγον etiam Blassio postea placuit.

§ 4. l. 28. The doubtful reading ἀξονήλατον is found in Aesch. *Suppl.* 181, σὺριγγες...ἀξονήλατοι, 'whirling on the axle' (L and S); 'the sockets (in the naves) pressed by the axle, or through which the axle is driven' (Tucker). It seems impossible to interpret it (with Mr Kenyon) as a metaphor indicating 'a torture such as that of Ixion.' Much less can we understand it as an allusion to the ἀξονες of Solon.—ἀξονήλατον, impf. of ἀξονηλατεῖν, has been suggested; this is supported by O. Crusius (*Philologus* 1, 177) as a metaphor from the race-course which he considers characteristic of Solon, comparing l. 47 κέντρον...λαβών, and fragm. 23 Bergk, which merely mentions μώνυχες ἵπποι. ξενήλατον, 'driven from the country as strangers,' though not found elsewhere, is implied in ξενηλατεῖν, and might be defended by Plut. Sol. 13, ἐπὶ τὴν ξένην πιτρασκόμενοι, and ib. 15 ἀνήγαγον ἀπὸ ξένης followed by a quotation of Il. 38—41, γλώσσαν—ἐχοντας.

On the whole, I prefer accepting in the first line ξυνήγαγον. For the second I gladly adopt a suggestion due to Professor Jebb, who makes the sentence interrogative. He adds that the rhetorical emphasis obtained by placing the relative clause (τῶν μὲν) before the antecedent (τούτων) seems to confirm the view that this is a question. 'But, as to the ends for which I formed the popular party, or

(less probably) gathered the people into one (by healing the divisions which separated the various orders in the state), why did I desist before I had attained those ends?' (With ἐπασάμην, cf. l. 63 in fragment at the end of this chapter: 'anyone else would not have restrained the people' οὐδ' ἐπαύσατο κτλ.) Solon is here quoting the question addressed to him by some of his opponents who held that he had not carried his reforms far enough. He is in fact putting in his own words the complaint which elsewhere he gives in the words of the malcontents, περιβαλὼν δ' ἄγραν ἀγασθεὶς οὐκ ἐπέσπασεν μέγα δίκτυον (frag. 33 Bergk⁴, l. 3). In the triumphant συμμαρτυροῖη κτλ., he seems to say, 'Earth is the best witness whether I had cause enough τοῦ τὸν δῆμον συναγαγεῖν, without going on to do those things which I am blamed for not doing.' Prof. Jebb further points out that it is probable that the first two lines formed a separate sentence, as Aristides does not quote them, and it is unlikely that he would have begun his quotation with the third line, συμμαρτυροῖη, κτλ., if it had been in the middle of a sentence. I may add that the sense thus gained is confirmed by a subsequent line, l. 44, in which Solon protests that he has performed all that he has promised: διήλθον ὡς ὑπασχόμην. Cf. l. 22, ἃ μὲν γὰρ εἶπα σὺν θεοῖσιν ἦνυσα.

δῆμον, τί τούτων πρὶν τυχεῖν ἐπαυσάμην;
 συμμαρτυρ[οί]η ταῦτ' ἂν ἐν δίκῃ χρόνου
 μήτηρ μεγίστη δαιμόνω[ν] Ὀλυμπίων
 ἄριστα, Γῇ μέλαινα, τῆς ἐγὼ ποτε
 [δ]ρους ἀνείλουν πολλαχῇ πεπηγότα[s],

30

29 δῆμον τι τούτων πρὶν τυχῶν ἐπαυσάμην, K¹. δῆμόν τι τούτων πρὶν τυχεῖν ἐπαυσάμην, K-W, alii; τοιούτων Sidgwick, τοιούτων πρὶν τυχῶν van Leeuwen. τί τούτων πρὶν τυχεῖν ἐπαυσάμην; recte Blass et Jebb. 30 χρόνον etiam Aristides habet: Κρόνου μήτηρ Clavigerus apud Bergk², qui ibidem ipse conicit ἐν Δίκῃς θρόνω. Κρόνον μήτηρ μεγίστη δαιμόνων τ' Ὀλυμπίων Poste. 33 πολλαχῇ: an πολλὰ ἔτη? J B Mayor.

TESTIMONIA. 30—54 Aristid. ii 536—8. 33, 34 Plut. Sol. 15.

ll. 30—54. **συμμαρτυροίη — λύκος**] Quoted by Aristides, ii 536—8, in two portions, (a) ll. 30—49 ending οὐκ ἂν κατέσχε δῆμον, and (b) εἰ γὰρ ἤθελον to the end. (b) is introduced with the words: εἴτα τί φησὶν ὁ Σόλων;

l. 30. ἐν δίκῃ χρόνου] possibly (1) 'before the tribunal of time,' a bold expression, but less bold than that in Eur. *Bacch.* 889, δαρὼν χρόνου πόδα. Or, less probably, (2) 'in the justice of time,' i.e. 'justice which time eventually brings.' συμμαρτυρεῖν is combined with χρόνος in Xen. *Hell.* iii 3 § 2, συνεμαρτύρησε δὲ ταῦτ' αὐτῷ καὶ ὁ ἀληθέστατος λεγόμενος χρόνος εἶναι. Solon appeals to Earth to bear witness before the tribunal of Time that he had attained the ends he had in view.

l. 31. μήτηρ—Γῇ] Even the Attic land set free from its encumbrances is boldly personified as Mother Earth. Cf. Plato, *Leg.* 740 A, δεῖ τὸν λαχόντα τὴν λῆξιν ταύτην νομίζειν μὲν κοινὴν αὐτὴν τῆς πόλεως ξυμπάσης, πατρίδος δὲ οὐσης τῆς χώρας θεραπεύειν αὐτὴν δεῖ μειζύνως ἢ μητέρα παῖδας, τῷ καὶ δέσποιναν θεὸν αὐτὴν οὖσαν θνητῶν θντων γεγονέναι, and 741, τῆς γῆς ἱερὰς οὐσης τῶν πάντων θεῶν.

ll. 33, 34. ὄρους—ἐλευθέρα] These lines, and part of ll. 38—41, are quoted in Plut. *Sol.* 15, σεμνύνεται γὰρ Σόλων ἐν τούτοις, ὅτι τῆς τε προϋποκειμένης γῆς

ὄρους ἀνείλε—νῦν ἐλευθέρα·

καὶ τῶν ἀγωγίμων πρὸς ἀργύριον γεγονότων πολιτῶν τοὺς μὲν ἀνῆγαγεν ἀπὸ ξένης

γλώσσαν οὐκέτ' Ἀττικὴν—ἐχοντας.

l. 33. ὄρους] Sir George Cox, *Hist. of Greece*, i 201, has suggested that this means *boundaries*, and similarly in the *Edinburgh Review*, 1891, p. 493, 'These *boundary stones* were the marks of the religious ownership of the Eupatrids.' This view is refuted in Mr Evelyn Abbott's *History of Greece*, i 407.

As regards the meaning of ὄρος and cognate words in early Greek literature, the ambiguity in *Il.* xii 421, ἀμφ' οὖροισι δὲ ἀνέρε δηριάσθον, is made clear by other passages, which prove that the οὖρα are 'stones (xxii 405) marking off the allotments, and are easily moveable by a fraudulent neighbour (xxi 489),' Leaf *ad loc.* In Hdt. i 93 οὖροι is used of stones bearing inscriptions. In the present passage we have the earliest instance of ὄροι in the sense of 'mortgage pillars,' 'stone-slabs or tablets set up on mortgaged property, to serve as a bond or register of the debt' (L and S). This use is common in the time of Demosthenes, e.g. *Or.* 31 § 1, τίθησιν ὄρους ἐπὶ μὲν τὴν οἰκίαν διαχιλίῳ, ἐπὶ δὲ τὸ χωρίον ταλάντων, 42 § 5, οὐδεὶς ὄρος ἔπεστιν ἐπὶ τῇ ἐσχατίᾳ, and § 28, ἐκέλευον δεῖξαι ὄρον εἶπου ἔπεστι, 49 § 13, τοὺς ὄρους ἀνέσπακε, 'has (illicitly) removed the tablets,' and § 11, ἡ οὐσία ὑπόχρεως ἦν ἅπασα καὶ ὄροι αὐτῆς ἔστασαν, *ib.* § 61, ὅσοις αὐτοῦ ἡ οὐσία ἀφωρισμένη ἦν, 25 § 69, οἱ τεθέντες ὄροι ἐστηκότες, 41 § 6, ὄρους ἐπιστήσαι χιλίων δραχμῶν ἐμοὶ τῆς προικὸς ἐπὶ τὴν οἰκίαν. Isaeus 6 § 36, ὅπως . . ὄροι τεθείεν. In Theophrastus (*Char.* 10 = 24 Jebb) it is characteristic of the μικρολόγος to inspect the ὄροι day by day. Harpocr. s. v. ὄρος: οὕτως ἐκάλουν οἱ Ἀττικοὶ τὰ ἐπὶ τὰς ταῖς ὑποκειμέναις οἰκίαις καὶ χωρίοις γράμματα, δηλοῦντα ὅτι ὑποκείμεναι δανεισθή.

Originally the ὄρος was doubtless a boundary-stone or land-mark. In the absence of other means of registration, it became customary to inscribe on these boundary-stones a notice of the charges on the property. Solon, by his *σεισάχθεια*, released the poorer classes from the burden of their debts, and set the land, which was security for these debts, free from encumbrances. No sooner was the debt itself abolished, than the stones in-

- [πρόσθ]εν δὲ δουλεύουσα, νῦν ἐλευθέρα.
 35 πολλοὺς δ' Ἀθήνας, πατρίδ' εἰς θεόκτιτ[ον],
 [ἀνὴ]γαγον πραθέντας, ἄλλον ἐκδίκως,
 ἄλλον δικαίως, τοὺς δ' ἀναγκαίης ὑπο
 χρειοὺς φυγόντας, γλώσσαν οὐκέτ' Ἀττικὴν
 40 ἰέντας, ὡς ἂν πολλαχῇ πλαν[ωμένους],
 τοὺς δ' ἐνθάδ' αὐτοῦ δ[ουλί]ην αἰεκέα
 [εἴ]χοντας, ἥθη δεσποτῶν τρομευμέν[ους],

34 δὲ: γε J B Mayor (H-L). νῦν δ' H-L. 35 ΘΕΟΚΤΙCTON: idem habent Aristidis codices prope omnes. 38 χρησμὸν λέγοντας (quod intelligi nequit) Aristides. 41 ἥδη Aristides, correxit Bergk.

scribed with the record of the security were removed, and the land set free. (Cf. Blass in *Hermes*, xv 286 ff.)

Many exx. of these inscribed *ἔροι* have been found. Those of Attica are published in CIA ii, the ordinary boundary-stones forming nos. 1062—1102 and the *termini fundorum pigneratorum* nos. 1103—1153. A specimen is figured in Duruy's *Histoire des Grecs*, 1385; and all the extant Greek inscriptions of this kind are collected and classified in the *Inscriptions Juridiques Grecques* by MM. Dareste, Haussoullier and Th. Reinach, 1891, i p. 107—142. Classes A and B are securities (*ἀποτιμήματα*) for money belonging either to minors (1—9) or married women (10—24). Class C (25—59), records of sale with right of redemption, 'ostensibly a purchase, but really a loan of money secured by the conveyance of property.' 'The debtor continues to occupy it, paying interest on the purchase-money and possessing the power of redemption within a certain time' (Hager in Smith's *Dict. Ant. s. v. HORI*). The following are some of the more interesting dated examples: A 5 (CIA ii 1138) ἐπὶ Νικοκλέους ἀρχοντος (B. C. 302/1) ὁρος χωρίων καὶ οἰκίας καὶ τοῦ ὕδατος τοῦ προσόντος τοῖς χωρίοις κλήρων δυνεὶ ἀποτετιμημένων παισὶν ὀρφανοῖς τοῖς Χαρίου Ἰσοτελοῦς Χαρίππῳ καὶ Χαρίᾳ. B 17 (CIA ii 1137) ἐπὶ Εὐξενίππου ἀρχοντος (B. C. 305/4) ὁρος χωρίων καὶ οἰκίων ἀποτιμημάτων προκὶς Ξεναρίστει Πυθοδώρου Γαργητίου θυγατρὶ, τὸ κατὰ τὸ ἥμισυ καὶ τὸ ἐκ τούτου γιγνόμενον αἰτεῖ εἰς Λεώστρατον ἀρχοντα ΧΧΓΗΗ... C 49 (CIA ii 1133) ἐπὶ Πραξιβοῦλου ἀρχοντος (B. C. 315/4) ὁρος οἰκίας πεπραμένης ἐπὶ λύσει. D 61 (CIA ii 1134) ἐπὶ Θεοφράστου ἀρχοντος (B. C. 313/2) ὁρος χωρίων τιμῆς ἐνοφειλομένης Φανοστράτῳ Παιανεὶ XX=2000 dr.

All these inscriptions belong to the

latter part of the fourth century. It cannot be supposed, however, that lending money on mortgage was unknown in the previous century. Under the Second Athenian Confederation (CIA ii 17), the Athenians were forbidden to purchase lands or houses in the territory of their allies or to lend money on mortgage. This implies that, under the First Confederation, lending money on these terms was not forbidden. But it would appear that for some centuries the Athenians, while still employing boundary-stones for their public or sacred domains, gave up using them as records of mortgages. It has been suggested that 'in the early times, which followed the reforms of Solon, no one had recourse to recording his claims on the detested tablets of stone whose removal from the land had been celebrated with such enthusiasm by the legislator himself' (*Inscr. Juridiques*, i 122). —For a similar reform among the Jews in the latter part of the fifth century, see *Nehemiah* v, 1—13.

πεπηγότας Lycurg. *Leocr.* § 73, ὅρους τοῖς βαρβάροις πῆξαντες. Thuc. iv 92, 4, τοῖς μὲν ἄλλοις οἱ πησιόχωροι περὶ γῆς ὄρων τὰς μάχας ποιοῦνται, ἡμῖν δὲ ἐς πᾶσαν, ἣν νικηθῶμεν, εἰς ὅρος οὐκ ἀντίλεκτος παγίσσεται.

l. 36. **πραθέντας** Solon ap. Dem. *F. L.* p. 421, τῶν δὲ πενιχρῶν | ἰκνύνται πολλοὶ γαίαν ἐς ἀλλοδαπὴν | πραθέντες κτλ. Cf. Grote, c. 11, ii 310 n.

l. 37. **ἀναγκαίης ὑπο χρειοῦς** Cf. *Il.* viii 57, χρειοὶ ἀναγκαίη.

l. 38—41. **γλώσσαν—ἐχοντας** quoted by Plut. *Sol.* 15.

l. 40. **δουλίην** Ionic forms are characteristic of Solon's verses: cf. l. 41, τρομευμένους, and in Plut. *Sol.* 14, αἰδεῖσθαι and δοκέω.

l. 41. **ἥθη—τρομευμένους** 'trembling at each mood of their masters.'

[ἐλ.]ευθέρους ἔθηκα. ταῦτα μὲν κράτει
νόμου, βίαν τε καὶ δίκην συναρμόσας,
[ἔρ]εξα, καὶ διήλθον ὡς ὑπεσχόμην.
θεσμούςς δ' ὁμοίως τῷ κακῷ τε κάγαθῷ,
εὐθείαν εἰς ἕκαστον ἀρμόσας δίκην,
ἔγραψα. κέντρον δ' ἄλλος ὡς ἐγὼ λαβὼν,
[κακ.]οφραδῆς τε καὶ φιλοκτῆμων ἀνὴρ,
οὐκ ἂν κατέσχε δῆμον· εἰ γὰρ ἦ[θε]λον
ἂ τοῖς ἐναντίο[ισι]ν ἦνδανεν τότε,
αὐθις δ' ἂ τοῖσιν οὐτεροι φρασάιατο,
πολλῶν ἂν ἀνδρῶν ἦδ' ἐχρηώθη πόλις.
τῶν οὐνεκ' ἀλκὴν πάντοθεν ποιεύμενος

45

50

42 ΚΡΑΤΕΕΙ: κράτει (κράτη cod. Θ, Bergk) Aristides: κρ.τη Papyrus Berol.
43 ΝΟΜΟΥ (κ, H-L): ὁμοῦ Aristides, Plut., Papyrus Berol. (κ-w, B). 44 ἔρεξα
Aristides. διήλθον: διήνυσ' Herwerden. 45 ΤΕ, ut videtur, correctum in θ'
(κ): δ' Aristides (Wyse, κ-w, H-L, B). ὁμοίους Bergk, Aristidis codices duos
secutus. 49 ΔΗΜΟΝ: idem habent Aristides et Plut. Sol. 16: θυμὸν hic et infra
v. 63 legendum suspicantur H-L; idem olim Cantero et Reiskio placuerat. 50 ἂ
τοῖς: ΑΥΤΟΙΣ. τότε: ποῦν Sidgwick (H-L). 51 ἂ τοῖσιν οὐτεροι φρασάιατο
Platt, κ-w, κ³, B. ΑΥΤΟΙΣΙΝΟΥΤΕΡΟΙ (vel ΔΙ)ΦΡΑΣΑΙΑΤΟ. ἂ τοῖσιν ἀτέροι δρᾶσαι,
διὰ (κακὰ Valckenaer, βία Schaefer, δίχα O. Schneider et Ahrens, δρᾶσαι δίχα Bergk)
Aristides. ἂ τοῖσι θάτέρα δρᾶσαι δίχα Ellis. ἂ τοῖσιν οὐτέρα (=οἱ ἐτέρα) φρασάιατο
quondam Blass. ἂ χωρὶς ἀτεροι φρασάιατο Sidgwick (H-L). ἂ τοῖσδ' ἂν ἀτεροι φρα-
σαίατο Tyrrell. 52 ἐχειρώθη Aristides, correxit Valckenaer. 53 ΟΥΝΕΚ (κ,
H-L): εἵνεκ' κ-w (cf. v. 28). ἀλκὴν: ἀρχὴν Arist., ὀργὴν Bergk. ΠΟΙΟΥΜΕΝΟΣ
(κ¹): ποιεύμενος Platt, κ-w, H-L, κ³; κυκεύμενος Arist.

TESTIMONIA. 38—41, 43 Plut. Sol. 15.

l. 45. θεσμούς] In Plut. Sol. 19 end, θεσμός ἐφάνη δδε is quoted from one of Solon's laws. Cf. note on c. 4 § 1.

l. 47. κέντρον] the 'goad' is here the symbol of strong control, as in Soph. Frag. 606 (of sovereignty), λαβὼν δὲ χερσὶ κέντρα κηδεύει πόλιν.

l. 49. οὐκ ἂν κατέσχε δῆμον] With these words the first quotation in Aristides ends. Plutarch, however (Sol. 16), cites two lines with the following introduction: καίτοι φησὶν, ὡς, εἴ τις ἄλλος ἔσχε τὴν αὐτὴν δύναμιν,

οὐτ' ἂν κατέσχε δῆμον οὐτ' ἐπαύσατο
πρὶν ἂν ταράξας πῖταρ ἐξέλῃ γάλα.

Hence in Bergk's ed. of frag. 36 these two lines are added to the passage quoted by Aristides; and the passage εἰ γὰρ ἦθελον—λύκος, quoted subsequently by Aristides, is treated as a separate fragment (37). But the text makes it clear that this last passage followed immediately after his first quotation, while the couplet in Plutarch comes from a

subsequent portion of the same poem quoted near the end of this chapter.

l. 51. τοῖσιν οὐτεροι φρασάιατο] 'what their foes devised within their hearts' (K.). This does not explain the construction; τοῖσι cannot go with οὐτεροι, for 'their foes' would be τῶν οὐτεροι, 'those different from these.' τοῖσι must be dative after φρασάιατο. 'φράζεσθαι c. dat. and inf.=to tell one to do so and so,' but the inf. is sometimes omitted, as in Hom. Od. x 549, ἀλλ' ἔμεν' δὴ γὰρ μοι ἐπέφραδε πόντια Κίρκη. The sense seems to be 'whatever at any time the other party would devise for their opponents,' or perhaps, 'urge their opponents (τοῖσι=ἐναντίοις) to do.' The ἐναντίοι are the party opposed to Solon's remedial measures. The οὐτεροι are the popular party. With φρασάιατο cf. ποιοῖατο at end of next quotation.

l. 52. ἀνδρῶν—ἐχρηώθη] Hdt. vi 83, Ἄργος ἀνδρῶν ἐχρηώθη.

l. 53. ποιεύμενος] An Ionism; cf. note

ὥς ἐν κυσὶν πολλαῖσιν ἐστράφην λύκος.

55 καὶ πάλιν ὀνειδίζων πρὸς τὰς ὑστερον αὐτ[ῶν] μεμφιμοιρίας ἀμ- 5
φοτέρων·

δήμῳ μὲν εἰ χρὴ διαφάδην ὀνειδίσαι,
ἀ νῦν ἔχουσιν οὐποτ' ὀφθαλμοῖσιν ἂν
εὔδοντες εἶδον·

60 ὅσοι δὲ μείζους καὶ βίαν ἀμείνονες
αἰνοῖεν ἂν με καὶ φίλον ποιοῖατο.

εἰ γάρ τις ἄλλος, φησί, ταύτης τῆς τιμῆς ἔτυχεν,

οὐκ ἂν κατέσχε δῆμον οὐδ' ἐπαύσατο,

πρὶν ἀνταράξας πῖα^ρ ἐξεῖλεν γάλα. ||

65 ἐγὼ δὲ τούτων ὥσπερ ἐν μεταχμίφ
ὄρος κατέστην.

[Col. 5.]

54 ΕΤΡΑΦΗΝ vel ΕΓΓΡΑΦΗΝ: ἐστράφην Arist. (κ, κ-W, H-L, B). 55 αὐτῶν
Blass (κ-W, κ³): αὐθις H-L. 57 ΔΙΑΦΡΑΔΗΝ: διαφάδην Kontos et κ-W (κ³, B):
μ' ἀμφάδην Platt (H-L). 64 ΠΡΙΝΑΝΤΑΡΑΞΑΣ ΠΙΤΑΡΕΞΕΙΛΕΝ: πρὶν ἂν ταραξας
πῖα^ρ ἐξεῖλεν γάλα Plut. (et κ-W¹), unde Adam ad Plat. Crit. 44 D coniecerat πρὶν
ἀνταράξας—ἐξεῖλεν, etiam Gildersleeve ἀνταράξας legendum esse olim viderat; eadem
postea protulerunt Sidgwick, Blass, H-L (κ³). πρὶν ἢ ταραξας πῖα^ρ ἐξεῖλεν γάλα κ-W².

TESTIMONIA. 63, 64 Plut. Sol. 16.

65—66 Cf. Aristid. infra exscriptum.

on l. 40, δουλὴν. In Soph. O. C. 459,
ἀλκὴν ποιεῖσθαι means 'to succour.'

l. 54. ὥς ἐν κυσὶν—ἐστράφην λύκος]
A reminiscence of Homer, *Il.* 12, 42, ἐν
τε κύνεσσι...κάπριος ἥ ἐ λέων στρέφεται.
Cf. Solon 15, 23, ταῦτα μὲν ἐν δήμῳ
στρέφεται κακά.

§ 5. διαφάδην] διαφράδην is unknown.
διαφραδέως means 'distinctly' (of sound)
in Hippocrates 408. διαφάδην, 'openly,'
is here accepted. This is found in Pollux
ii 129, ἀρρήδην, διαρρήδην, διαφάδην.

l. 59. εὔδοντες] 'even in their dreams.'
Dem. *F. L.* 275, ἃ μὴδ' ὄναρ ἤλπισαν
πώποτε.

l. 60. ὅσοι] sc. εἰσί. The last two
lines refer to the rich, the first three to
the poor. The whole of this passage
(57—61) is new.

l. 62. εἰ γάρ τις κτλ.] Plut. *Sol.* 16,
quoted in note on l. 49.

l. 64. πρὶν—γάλα.] πρὶν c. subj. aor. (or
πρὶν ἂν in Attic Gk) is properly only used
after negative clauses, to denote a point
in future time before which something
else must happen; or (as Goodwin puts
it, *Moods and Tenses*, § 638), 'when a
clause with πρὶν, until, refers to the fu-
ture, and depends on a negative clause of
future time (not containing an optative),

πρὶν takes the subjunctive.' Such a con-
struction is out of place here, where we
require πρὶν c. indic. With the text, as
emended, cf. Plat. *Meno* 86 D, οὐκ ἂν
ἐπεσκεψάμεθα πρότερον εἴτε διδασκὸν εἴτε
οὐ διδασκὸν ἢ ἀρετὴ, πρὶν ὅτι ἔστι πρῶτον
ἐξηγήσασθαι (*ib.* 84 c and *Theaet.* 165 D:
Goodwin, § 637).

ἀνταράξας] In Ionic (as well as Doric
poetry) ἀν- and ἀμ- stand for ἀνα-. *Od.*
i 440, ἀγκρεμάσασα, and elsewhere ἀν-
στήσων, ἀνστήτην, ἀνστήμεναι; *Il.* xxiv
756, ἀνστήσεις; *Od.* v 320, ἀνσχεθέων;
ἀνσχέσασθαι, ἀνσχεο, ἀνσχετός.

πῖα^ρ] (πίων) lit. 'fat,' an Epic and
Ionic word; *Il.* xi 550, xvii 659, βοῶν
ἐκ πῖα^ρ ἐλέσθαι, of cream in Solon; also
used metaphorically of 'the cream' of a
thing, the choicest and best (L and S).
Hesychius, πῖα^ρ: τὸ κράτιστον. This suits
the context better than πῖα^ρ, which is
'the first milk after calving,' 'beestings,'
or the rennet made from it. The sense
requires not a particular kind of milk,
such as 'beestings'; but the best part of
the milk, the 'cream.' The constr. is
either πρὶν ἀνταράξας γάλα ἐξεῖλεν πῖα^ρ, or
else γάλα is acc. after the complex verb
πῖα^ρ ἐξεῖλεν.

l. 65. ἐγὼ—κατέστην] 'I set myself as

13. τὴν μὲν οὖν ἀποδημίαν ἐποιήσατο διὰ ταύτας τὰς αἰτίας. Σόλωνος δ' ἀποδημήσαντος, ἔτι τῆς πόλεως τεταραγμένης, ἐπὶ μὲν ἔτη τέτταρα διήγον [ἐ]ν ἡσυχίᾳ· τῷ δὲ πέμπτῳ μετὰ τὴν Σόλωνος

a landmark between two armed hosts.' Hdt. viii 140, 2 (of debateable land), δειμαίνω ὑπὲρ ὑμέων ἐν τρίβῳ τε μάλιστα οἰκημένων τῶν συμμάχων πάντων αἰεὶ τε φθειρομένων μόνων, ἐξαίρετον μεταίχιον τε τὴν γῆν ἐκτεμένον. ὅρος, 'landmark,' or 'wall,' seems a harsh metaphor, except perhaps in one who, like Solon, had the ὅροι, the boundaries as well as the mortgage-tablets, of Attica much in his mind. The passage is paraphrased in Aristides, ii 360 (of Solon), ἔσθ' ὅτι δ' ἐν μεθορίῳ πάντων ἀνδρείωτατα καὶ δικαιοτάτα, ὥσπερ τινὸς ὡς ἀληθῶς ἐκ γεωμετρίας περιγραπτὸς φυλάττων ὅρους.

XIII § 1. ἀποδημίαν ἐποιήσατο] c. 11 § 1.

Σόλωνος—τεταραγμένης κτλ.] 'When S. had gone abroad, although the state was still disturbed by divisions, yet for four years they lived in peace, but in the fifth year' &c. ἀποδημεῖν has two meanings (1) to be abroad, and (2) to go abroad. (1) is found in *Pol.* 1303 b 23, and *Poet.* 17, 1455 b 17, ἀποδημούντος; (2) in the present passage. The fact that τεταραγμένης precedes, accounts for the article in τὴν στάσιν.

τῷ δὲ πέμπτῳ μετὰ τὴν Σόλωνος ἀρχήν] The archonship of Solon is usually placed in B.C. 594/3 = *Ol.* 46, 3. This is the date given by Diog. Laert. i 62 on the authority of Sosicrates of Rhodes, the author of a work on the *History of Crete* and on the *Succession of Philosophers*, who flourished between 200 and 128 B.C. The archons about this time are given by Clinton as follows:

Ol.	B.C.
46, 2 = 595	Philombrotus
3 = 594	Solon
4 = 593	Dropides
47, 1 = 592	Eucrates?
2 = 591	Simon
3 = 590	[Simon, in <i>Marmor Parium</i>]

Jerome places Solon in 592: and the Armenian version of Eusebius in 590. 592 is already occupied by Eucrates, and 590 (in the *Marmor Parium*, see § 2 n) possibly by Simon. The text of c. 14 § 1 appears to place Solon 31 years before the archonship of Comeas (B.C. 560), i.e. in 591. But if Solon is placed in 591, Philombrotus and Dropides must be placed in 592 and 590, which are already

assigned to other archons. Again, if Comeas is (by another method of reckoning) assigned to 561, Solon falls in 592, the year assigned to Eucrates. Eucrates, however, may really belong to a later date. Sosicrates (*ap. Diog. Laert.* i 101) places him in *Ol.* 47 (592—589) and makes Anacharsis visit Solon during the archonship of Eucrates. But Solon left Athens for ten years when his own archonship was over, so that, if Sosicrates (our only authority for Eucrates) is right about the date of the visit of Anacharsis, Eucrates cannot be earlier than 583. On the year of Solon's archonship, cf. Clinton, *Fasti*, ii 298; Fischer's *Gr. Zeittafeln*, p. 114; and Busolt, i 524.

If Solon was archon in 594, and if 'in the fifth year' means four years after Solon, then the first year of anarchy falls in 590, and the second in 586. Then, if διὰ τῶν αὐτῶν χρόνων is retained in the sense, 'after the same interval of time,' i.e. four years later, the archonship of Damasias begins in 582. This is Mr Kenyon's view. In this calculation the first period of four years of peace must include either the year of Solon's archonship or the first year of anarchy; and the second period must include one of the years of anarchy.

On the other hand, if the first 'four years' extend from B.C. 593 to 590, then the first year of anarchy is 589; again, if ἔτι πέμπτῳ is taken as meaning 'five years afterwards,' the second year of anarchy is 584. Further, if διὰ τῶν αὐτῶν χρόνων is regarded as an interpolation, the beginning of the rule of Damasias follows at once in 583. This is the view of Bauer, and of Kaibel and Wilamowitz. But the first year of Damasias coincides with that in which the Pythian festival was transformed into an ἀγὼν στεφανίτης, and the festival was held in the third year of each Olympiad, whereas 583 is the second year. The opinion that it fell in the second year of the Olympiad, which has been inferred from Thuc. iv 117 and v 1, is refuted in Clinton's *Fasti*, ii p. 195 = 245³.

Again, if the archonship of Solon is placed in 591, the years of anarchy may be put at intervals of four years in 587 and 583. Then, if διὰ τῶν αὐτῶν χρόνων

ἀρχὴν οὐ κατέστησαν ἄρχοντα διὰ τὴν στ[άσ]ιν, καὶ πάλιν ἔτει
 5 πέμπτῳ <διὰ> τὴν αὐτὴν αἰτίαν ἀναρχίαν ἐποίησαν. μετὰ δὲ 2
 ταῦτα διὰ τῶν αὐτῶν χρόνων Δ[αμ]α[σίας αἶρε]θεὶς ἄρχων ἔτη

XIII 4 ΟΥΚΑΤΕΣΤΗσαν (K-W, K³): οὐκ ἐπέστησαν K¹ (H-L). 4 ἄρχοντα—
 18 διώκειν continentur fragmenti Berolinensis in pagina secunda. 5 <διὰ>
 add. e papyro Berol. ΔΙΤΙΔΝΑΡΧΑΙΔΝ: αἰτίαν ἀναρχίαν Campbell, Jackson,
 Housman, Burnet, K-W, H-L, K³. 6 διὰ τῶν αὐτῶν χρόνων secl. K-W; διὰ τοῦ
 αὐτοῦ χρόνου? Herwerden.

be omitted, we get 582 as the first year of Damasias. This is the view of T. Reinach and of Poland. It has the advantage of leaving the text in c. 14 § 1 untouched, and it gives a date for Damasias which is consistent with Pausanias x 7, 5, where the first Pythian ἀγὼν στεφανίτης, which coincided with the first year of Damasias, is placed in 582. If so, the archonship of Simon which, according to the Scholiasts on Pin-

dar, was five years before Damasias, may provisionally be placed in 587, instead of 590, the year assigned to it by the Parian Marble; but 587 was on this view a year of anarchy; hence it is not improbable that Simon was really archon in 586.

All the above views agree in placing the beginning of the archonship of Damasias later than 586 B.C., in or about 582. The following is a conspectus of the views above mentioned.

	Mr Kenyon	Bauer and K-W.	Reinach and Poland
Solon, archon	594	594	591
First period of 4 years	{594-1}		
	{593-0}	593-590	591-588
First year of anarchy	590	589	587
Second period of 4 years	{590-87}		
	{589-86}	588-585	586-583
Second year of anarchy	586	584	583
Third period of 4 years	{586-3}		
	{585-2}	nil	nil
Damasias, archon	582	583	582

A space of 13 years, 594 to 582 inclusive, does not allow of three periods of four years, and four years besides. It only admits of three periods of three years (and four years over). But these can only be obtained by altering τέτταρα into τρία and πέμπτῳ twice into τετάρτῳ. This, however, would perhaps be going too far.

§ 2. Δαμασίας] On the discovery of the Berlin fragments, much controversy arose respecting the Damasias there mentioned. It was at first proposed to identify him with Damasias I, the archon of 639 B.C. This opinion was conclusively refuted by Diels (*Berlin Acad.* 1885, p. 12); and, now that we have the context of the fragment before us, it is obvious that Damasias II can alone be meant.

Hitherto the determination of the date of Damasias II has depended on a mutilated passage in the Parian Marble.

(This important chronological document was bought in Smyrna by an agent of Thomas Howard, Earl of Arundel and Surrey, 1585—1646, and sent to Arundel House in 1627. It was first edited by Selden, 1628. In 1667, at the instance of John Evelyn, *Letters*, Aug. 4, 1667, *Diary*, Sept. 19, Oct. 8, 17, 25, it was presented by the Earl's grandson to the University of Oxford, and in 1676 it was edited once more by Prideaux. After being preserved for many years in the Ashmolean Museum, it was removed to the University Galleries in 1889. It has been edited by Boeckh, *CIG* ii 2374, and C. Müller, *FHG* i 535—590. The authority for the chronology recorded in this Marble is probably Phanias of Eresos, a pupil of Aristotle. The dates are reckoned by the number of years that had elapsed before the archonship of Diognetus, B.C. 264—3.)

δύο καὶ δύο μῆνας ἤρξεν, ἕως ἐξηλάθη βία τῆς ἀρχῆς. εἴτ' ἔδοξε[ν] αὐτοῖς διὰ τὸ στασιάζειν ἄρχοντας ἐλέσθαι δέκα, πέντε μὲν εὐπατριδῶν, τρεῖς δὲ ἀ[γρ]οίκων, δύο δὲ δημιουργῶν, καὶ οὗτοι

7 ΕΞΗΛΑΘΗ: correxerunt Richards, K-W, H-L (K³). <ἐκ> τῆς ἀρχῆς H-L.
9 ἀποίκων Berol.; litterae p partem inferiorem cerni posse putat K.

TESTIMONIA. 9 Hes. ἀγροῖωται ἄγροικοι (locus infra exscriptus).

The passage, with which we are concerned, is restored as follows: ll. 53—54, [ἀφ' οὗ Ἀμφικτύονες ἐνίκησαν ἐλόντες Κύρραν, καὶ ὁ ἀγὼν ὁ γυμνικὸς ἐτέθη χρηματίτης ἀπὸ τῶν λαφύρων, ἔτη ΗΗ[Η] ΔΔΙΠ[ΙΙ] (327), ἄρχοντας Ἀθήνησι Σίμωνος. ἀφ' οὗ ἐν Δελοῖς στεφανίτης ἀγὼν πάλιν ἐτέθη, ἔτη ΗΗΗΔ..ΙΙ, ἄρχοντας Ἀθήνησι Δαμασίου τοῦ δευτέρου. The interval between the year of Diognetus and that of Damasias is here denoted by the symbols ΗΗΗΔ..ΙΙ (312). (a) Boeckh and C. Müller insert ΠΙ (6), thus making the number 318; (b) Chandler and Clinton, Δ (10), making it 322; while Dopp (the latest editor) proposes ΔΙ (11), making it 323. The corresponding dates B.C. are: (a) 582/1 or 581/0, according as we reckon exclusively or inclusively; or (b) 586/5, according as we reckon inclusively with 323 or exclusively with 322. But the archonship of Damasias coincides with a Pythian festival; this excludes 581 and leaves us the choice between 586 and 582.

It has been urged in favour of 586/5 that Diog. Laert. i 22 describes Thales and the other Wise Men of Greece as flourishing in the archonship of Damasias; and that 586/5 would be an appropriate year to mark their epoch, because the eclipse predicted by Thales took place on May 28, 585 B.C. (Cf. Busolt, i 493.)

On the other hand, 582/1 is supported by Pausanias (x 7, 4—5), who implies that the first ἀγὼν στεφανίτης was in 582/1, and the last ἀγὼν χρηματίτης in 586/5.

It may here be suggested, that probably the first year of Damasias coincided with the first celebration of the Pythian games after their transformation into an ἀγὼν στεφανίτης, i.e. with 582. Subsequently, a confusion may have arisen between the year of that celebration and the actual year in which the change was made (586). The archonship of Damasias was thus put four years too early. If the archonship of Simon coincided with the last ἀγὼν χρηματίτης and if that ἀγὼν was four

years earlier than the change in the Pythian games (586), it follows that the archonship of Simon must be put in 590. Simon is placed in that year in the Parian Marble; and the evidence of the text, which gives at least 10 years between the year of Solon and that of Damasias, points to 582 as the year of Damasias.

If Damasias was archon in 582, Solon would by that date have returned to Athens after his absence of ten years (593—584 inclusive). This may be held to favour the conjecture of Diels (*Berl. Acad.* 1885, p. 13 f.) that Solon refers to the usurpation of Damasias in fragm. 32 and 33, quoted in Plut. *Sol.* 14, εἰ δὲ γῆς ἐφεισάμην κτλ., and οὐκ ἔφην Σόλων βαθύφρων. The trochaic passage quoted above in c. 12 has been ascribed to the same poem, πρὸς Φώκον.

ἐξηλάθη] The form ἐξηλάσθη is given in the papyrus and in the restoration of the Berlin fragment by Blass ἐξηλά[σ]θη. For ἡλάσθην Veitch, s.v. εἰλάνω, quotes Diod. Sic. 20, 51, συν- Plut. *Caes.* 17. Gaisford, however, edits ἀπ- and ἐξηλάσθην in Hdt. iii 54, vii 6 &c [Hdt. vii 6 ἐξηλάσθη ὑπὸ Ἰππάρχου... ἐξ Ἀθηνῶν. ἐξηλάσθη cod. Florentinus: ἐξηλάθη al. iii 51 and i 173, ἐξελασθεῖς, in the latter passage the cod. Parisinus has ἐξελαθεῖς].

ἄρχοντας—δέκα] Owing to a lacuna in the Berlin fragment, which only mentions the three archons elected by the second class and the two by the third, it was supposed that the first class elected four, making nine archons in all. It now appears that in this particular year the number was ten. This election was a reactionary measure. It implied an abandonment of the classification by assessment which was the cardinal point of Solon's constitution.

ἀγροίκων] The Berlin fragment has ἀποίκων. There is a similar confusion in l. 2 of the poems of Herondas, where ΑΠΟΙΚΙHC was first written and then corrected into ΑΓΡΟΙΚΙHC. The usual name for this class is γεωμῆροι (Plut. *Thes.* 25; Bekker's *Anecd. Gr.* 257, 7; Etym. Mag. p. 395, 50, &c), or γεωργοί

- 10 τὸν μετὰ Δαμασίαν [ἦ]ρξα[ν ἐ]νιαυτόν. ᾧ καὶ δῆλον ὅτι μεγίστην
εἶχεν δύναμιν ὁ ἄρχων· φαίνονται γὰρ αἰεὶ στ[α]σιάζοντες περὶ
ταύτης τῆς ἀρχῆς. ὅλως δὲ διετέλουν νοσοῦντες τὰ πρὸς ἑαυτούς, 3
οἱ μὲν ἀρχὴν καὶ πρόφασιν ἔχοντες τὴν τῶν χρεῶν ἀποκοπήν,
συνεβεβήκει γὰρ αὐτοῖς γεγρονέναι πένησιν, οἱ δὲ τῇ πολιτείᾳ
15 δυσχεραίνοντες διὰ τὸ μεγάλην γεγρονέναι μεταβολήν, ἔνιοι δὲ
δ[ιὰ τὴν] πρὸς ἀλλήλους φιλονικίαν. ἦσαν [δ'] αἱ στάσεις τρεῖς, 4
μία μὲν τῶν παραλίων, ὧν προειστήκει Μεγακλῆς ὁ Ἀλκμέωνος,
ο[ἷ]περ ἐδόκουν μάλιστα διώκειν τὴν μέσσην πολιτείαν· ἄλλη δὲ
τῶν πεδια[κῶν], οἱ τὴν ὀλιγαρχίαν ἐζήτουν, ἡγήτο δ' αὐτῶν Λυ-
20 κοῦργος· τρίτη δ' ἡ τῶν διακρίων, ἐφ' ἣ τεταγμένος ἦν Πεισίστρα-

11 δύναμιν εἶχεν Berol. αἰεὶ Berol. (H-L): αἰεὶ (K, K-W, B). 12 νοσοῦντες
om. Berol. 15 δὲ: μὲν Berol. 16 ἦσαν [δ'] K, H-L: ἦσαν δὲ Berol. (K-W, B).
18 οἶπερ: οἱ δὲ (ut videtur) Berol. δὲ: 'an δ' ἦ?' Blass. 19 ἐζήτουν: ἐξήλουν hic
et c. 34 § 3 coniecit Bury (H-L).

TESTIMONIA. 16—20 Schol. Arist. *Vesp.* 1223...κατὰ γὰρ τοὺς Σόλωνος νόμους
τρεῖς ἦσαν αἱ τάξεις (sic), μία μὲν τῶν παραλίων, ὧν προειστήκει Μεγακλῆς,
ἑτέρα δὲ τῶν πεδιέων, ὧν προειστήκει Λυκοῦργος, τρίτη δὲ τῶν διακρίων, ὧν
προειστήκει Πεισίστρατος.

(Schol. on Plat. *Axioch.* p. 253, Moeris, s. v. γεννηταί). But ἀγροικοὶ is the term used in Dion. Halic. ii 8 (after mentioning the εὐπατρίδαι), ἀγροίκους δὲ (ἐκά-
λουν) τοὺς ἄλλους πολίτας οἱ τῶν κοινῶν οὐδενὸς ἦσαν κύριοι· σὺν χρόνῳ δὲ καὶ οὗτοι προσελήφθησαν ἐπὶ τὰς ἀρχάς. Cf. Hesych. s. v. ἀγροῖωται· ἀγροικοὶ. καὶ γένος Ἀθη-
νησιν, οἱ ἀντιδιεστέλλοντο πρὸς τοὺς Εὐπα-
τρίδας. ἦν δὲ τῶν γεωργῶν. καὶ τρίτον τὸ τῶν δημιουργῶν. (Landwehr in *Philologus*, Suppl. v, 1889, p. 139—155, *Die drei Stände in Attika*.)

§ 3. νοσοῦντες] of faction, c. 6 near end.

οἱ μὲν...οἱ δὲ...ἔνιοι δὲ] The first two are different sections of the Eupatridae, some of whom resented the loss of money involved in Solon's *σεισάχθεια*, while others lamented the loss of political influence; besides these, a few were actuated by the mere spirit of factious rivalry.

§ 4. στάσεις τρεῖς...τῶν παραλίων...τῶν πεδιακῶν...τῶν διακρίων] Hdt. i 59, (Peisistratus) στασιάζοντων τῶν πα-
ράλων καὶ τῶν ἐκ τοῦ πεδίου Ἀθη-
ναίων, καὶ τῶν μὲν προεστῆτος Μεγακλῆος τοῦ Ἀλκμέωνος τῶν δὲ ἐκ τοῦ πεδίου Λυ-
κοῦργου Ἀριστολαΐδew, καταφρονήσας τὴν
τυραννίδα ἡγήρεε τρίτην στάσιν, συλλέξας
δὲ στασιώτας καὶ τῷ λόγῳ τῶν ὑπερα-
κρίων, προστὰς μηχανάται τοιάδε. (Dion.
Hal. i 13, ὡς ὑπερακρίους τινὰς καὶ παρα-

λίου Ἀθήνησιν.) Plut. *Sol.* 29, οἱ δὲ ἐν
ἅσται ἐστασίαζον ἀποδημούντος τοῦ Σόλωνος·
καὶ προειστήκει τῶν μὲν Πεδιέων Λυ-
κοῦργος, τῶν δὲ Παράλων Μεγακλῆς ὁ
Ἀλκμαίωνος, Πεισίστρατος δὲ τῶν Δια-
κρίων, ἐν οἷς ἦν ὁ θητικὸς ὄχλος καὶ
μάλιστα τοῖς πλουσίοις ἀχθόμενος. *ib.* 13
(of the στάσεις just before the legislation
of Solon), τὴν παλαιὰν αὐτῆς στάσιν ὑπὲρ
τῆς πολιτείας ἐστασίαζον, ὅσας ἡ χώρα
διαφορὰς εἶχεν, εἰς τοσαῦτα μέρη τῆς
πόλεως διαστάσης· ἦν γὰρ τὸ μὲν τῶν
Διακρίων γένος δημοκρατικώτατον, ὀλι-
γαρχικώτατον δὲ τὸ τῶν Πεδιέων· τρίτοι
δ' οἱ Παράλοι μέσον τινα καὶ μειγμένον
αἰρούμενοι πολιτείας τρόπον ἐμποδῶν ἦσαν
καὶ διεκώλυνον τοὺς ἑτέρους κρατῆσαι (*Mo-
ralia* 805 D τῶν Διακρίων...τῶν Πεδιέων
...τῶν Παραλίων, 763 D Παράλων, Ἐπα-
κρίων, Πεδιέων). Πεδιεῖς is the form found
in Diog. Laert. i 58, and Schol. on Arist.
Vesp. 1223, a confused account (founded
on this passage, see *Testimonia*), in which
the τάξεις, as they are there called, are
apparently regarded as the result of So-
lon's legislation. Suidas s. v. Παράλοι
mentions the Πεδιαῖοι καὶ Διάκριοι.

On these three parties, cf. Schömann,
Ant. p. 327 f., E. T.; Gilbert, i 126 f.;
Duncker, 6, 447 f.

For the form πεδιακῶν, cf. *Pol.* viii (v)
1305 a 21—24, πάντες δὲ τοῦτο ἔδρων ὑπὸ
τοῦ δήμου πιστευθέντες, ἡ δὲ πίστις ἦν ἡ

5 τος, δημ[οτ]ι[κ]ώτατος εἶναι δοκῶν. προσεκεκόσμητο δὲ τούτοις οἷ τε ἀφ[η]ρημένοι τὰ χρέα διὰ τὴν ἀπορ[ι]αν, καὶ οἱ τῷ γένει μὴ καθαροὶ διὰ τὸν φόβον· σημείον δ', ὅτι μετὰ τὴν < τῶν > τυράννων κατάλυσιν ἐποίησαν διαψηφισμὸν ὡς πολλῶν κοινωνούντων τῆς πολιτείας οὐ προσήκον. εἶχον δ' ἕκαστοι τὰς ἐπωνυμίας ἀπὸ τῶν 25 τ[ό]πων ἐν οἷς ἐγεώργουν.

21 προσεκεκόλλητο H-L, Kontos, Gennadios; προσενενέμητο Butcher, coll. Dem. Ol. ii 29 προσενέμησθε οἱ μὲν ὡς τούτους, οἱ δὲ ὡς ἐκείνους, Ep. iii 2 ταῖς τοῦ δήμου προαίρεσιν προσένειμεν ἑαυτὸν, Aristog. i 43 προσνέμοντες αὐτοὺς τούτῳ. 23 τῶν addiderunt Rutherford, Blass, Gennadios, K-W, H-L (K³). 24 ΔΙΑΦΗΜΙΣΜΟΝ: διαψηφισμὸν scripsi, idem scripserunt Blass, K-W, H-L (K³).

ἀπέχθεια ἢ πρὸς τοὺς πλουσίους, οἷον Ἀθήνησιν τε Πεισίστρατος στασιάσας πρὸς τοὺς πεδιακοὺς.

δημοτικώτατος] 14 § 1; 16 § 8; 22 § 3. § 5. προσεκεκόσμητο] 'had joined their ranks'; the compound verb is not found elsewhere in this sense.

οἷ τε—φόβον] The faction of Peisistratus was joined by those whom Solon's legislation had deprived of the debts due to them. The allegiance of these was prompted by their losses. Peisistratus was also joined by those who were not of pure descent. The latter were afraid of the oligarchical faction gaining the ascendancy and depriving them of the privileges of citizenship in consequence of their inferior birth. Landwehr, who doubts whether the parties really existed before the time of Solon (*Philol. Suppl.* v 155), suggests that οἱ ἀφῆρημένοι τὰ χρέα are the capitalists belonging to the παράλαιοι who had lost their money, whereas the πεδιακοὶ still had their land.

σημείον δ'—προσῆκον] The writer infers that the party of Peisistratus included persons of dubious origin from the fact that, after the rule of the Peisistratidae was brought to an end, there was a revision of the list of citizens. Cf. note on 8 § 1, ὅθεν ἐτι διαμένει.

διαψηφισμὸν] The word occurs in Athenaeus, 218 A, διαψηφισμὸς ὁ γενόμενος κατὰ τῶν Ἑρασιπιδῶν στρατηγῶν. The verb is used in c. 42 § 1, l. 4, διαψηφίζονται. The admission of citizens took place in their 18th year, when, if their title to citizenship was sufficiently proved, they were entered on the register called *ληξιαρχικὸν γραμματεῖον* and (probably two years afterwards) in the *πίναξ ἐκκλησιαστικός*. The lists of citizens were revised on special occasions, particularly when there was reason for suspecting that a number of persons had been improperly regis-

tered. The names were then read one by one from the register, and, as each was read, it was asked whether any objections were to be made to it. Such objections were discussed and evidence brought forward, so that the matter could not be despatched in one assembly, but required several meetings of the members of the deme (Dem. *Eubulides* § 9 seq.). If, finally, a vote was taken, and the result was unfavourable, the name was struck out (Schömann, *Ant.* 368 f. E. T.). See esp. Dem. *Eubul.* (an appeal against the vote of the *δημοταί*, who had struck the speaker off their list) § 7, ἐν τοῖς δημόταις—τὴν διαψήφισιν γενέσθαι, § 15, περὶ πάντων τῶν δημοτῶν διαψηφίσασθαι, § 62 τῇ προτέρᾳ διαψήφισει. Hitherto, the earliest known revision of the roll of citizens has been that in the archonship of Lysimachides B.C. 445/4 (Philochorus in Schol. on Ar. *Vesp.* 718; Plut. *Pericles* 37. Philippi, however, contends that the procedure of *διαψήφισις* was not resorted to on this occasion, *Bürgerrecht*, pp. 34—49). The next was in the archonship of Archias, 346 B.C. Cf. Harpocr. s. v. διαψήφισις: ἰδίως λέγεται ἐπὶ τῶν ἐν τοῖς δήμοις ἐξετασέων, αἱ γίνονται περὶ ἑκάστου τῶν δημοτευομένων, εἰ τῷ ὄντι πολίτης καὶ δημότης ἐστὶν ἢ παρεγγεγραπται ξένος ὢν. Αἰσχίνης κατὰ Τιμαρχοῦ (§ 77, γεγόνاسι διαψηφίσεις ἐν τοῖς δήμοις, καὶ ἕκαστος ὑμῶν ψῆφον δέδωκε περὶ τοῦ σώματος, ὅστις Ἀθηναῖος ὄντως ἐστὶ καὶ ὅστις μὴ). ἐντελέστατα δὲ διελέκται περὶ τῶν διαψηφίσεων, ὡς γεγόνασιν ἐπὶ Ἀρχίου ἀρχοντος, Ἀνδροτίων ἐν τῇ Ἀθίδι καὶ Φιλόχορος ἐν 5^ῃ τῆς Ἀθλίδος. Cf. Schol. Aeschin. i §§ 77, 114; Hermann, *Staatsalt.* § 121, 19, and Meier and Schömann, p. 989 Lips.

εἶχον δ' ἕκαστοι—ἐγεώργουν] 'These parties derived their respective designations from the districts in which they held their lands,' the Plain, the Shore

14. δημοτικώτατος δ' εἶναι δοκῶν ὁ Πεισίστρατος, καὶ σφόδρ' εὐδοκιμηκῶς ἐν τῷ πρὸς Μεγαρέας πολέμῳ, κατατραυματίσας ἑαυτὸν συνέπεισε τὸν δῆμον, ὡς [ύ]π[ο] τῶν ἀντιστασιωτῶν ταῦτα πεπονη[ώ]ς, φυλακὴν ἑαυτῷ δοῦναι τοῦ σώματος, Ἀριστίωνος
5 [γ]ρ[ά]ψαντος τὴν γνώμην. λαβὼν δὲ τοὺς κορυνηφόρους καλου-

XIV 2 ηὐδοκιμηκῶς H-L.

3 ὑπὸ K-W (K², B): παρὰ K¹.

and the Mountain (or Highlands). The men of the *Mountain* led a hard life in the uplands of Parnes which afforded pasturage for sheep and goats, and were scantily supplied with the fruits of the field or of trees. (2) The men of the *Shore* enjoyed more abundant means of support in the building of boats, in ferrying and fishing, and in the manufacture of salt. (3) The men of the *Plain* formed the wealthiest class, with their groves of olives in the valley of the Cephissus and their fields of corn stretching inland from Eleusis. (Cf. Curtius, *H. G.*, i 311 E. T.) Grote, c. 11, ii p. 300 n, observes that Plutarch's description of the men of the Plain, as representing the oligarchical tendency, and the men of the Mountain, the democratical, is 'not quite accurate when applied to the days of Solon. Democratical pretensions, as such, can hardly be said to have existed.' Plutarch (or the authority he follows in c. 13) possibly makes these parties come into existence too early; elsewhere, c. 29, he places them after Solon's time, probably on the authority of the text, which distinctly describes the men of the Plain as oligarchical in spirit.

XIV § 1. εὐδοκιμηκῶς—πολέμῳ] Hdt. i 59, πρότερον εὐδοκίμησας ἐν τῇ πρὸς Μεγαρέας γενομένη στρατηγίᾳ, Νισαίαν τε ἐλὼν καὶ ἄλλα ἀποδεξάμενος μεγάλα ἔργα. Plut., *Sol.* 8, mentions the long and distressing war with Megara for the possession of Salamis, and describes Peisistratus as taking the lead in supporting Solon in his endeavour to rouse the people to fight once more for the recovery of the island. At the end of c. 9 he says of Solon, ἐνίκησε τοὺς Μεγαρέας. He implies that the war for the possession of Salamis was the origin of Solon's influence in Athens; if so, it can hardly be put later than 600 B.C. But Daimachus of Plataea (third century B.C., quoted in Plut. *Sol. et Popl. com.* 4) denied that Solon acted as general in the war against Megara. That Peisistratus took any prominent part in a war as early as 600 B.C. is improbable, as he lived to 527 B.C.

(Abbott, *H. G.*, i 400 n). Solon, who was some 30 years older than Peisistratus, took a leading part in the conquest of Salamis before he was archon, i.e. possibly about 600 B.C.; Peisistratus in the capture of Nisaea, probably about 570 B.C. (Busolt, i 521 n). Curtius (i 672, note 135) places the capture of Nisaea in 565, and Holm (i 481) shortly before the tyranny. In c. 17 we are told that the relative ages of Solon and Peisistratus make it impossible to accept the story that the latter was στρατηγός in the war with Megara for the possession of Salamis (i.e. the first Megarian war), in which Solon was concerned. Salamis and Nisaea were, however, recaptured by the Megarians (Plut. *Sol.* 12); and Peisistratus may have distinguished himself in a subsequent war with the Megarians for the recovery of the island.

κατατραυματίσας κτλ.] Hdt. i 59, τραυματίσας ἐωυτὸν τε καὶ ἡμόνους ἤλασε ἐς τὴν ἀγορὴν τὸ ζεύγος ὡς ἐκπεφυγὼς τοὺς ἐχθρούς, οἱ μὲν εὐαῖνοντα ἐς ἀγρόν ἤθελαν ἀπολέσαι δῆθεν, ἐδέετό τε τοῦ δήμου φυλακῆς τινὸς πρὸς αὐτοῦ κυρῆσαι... ὁ δὲ δῆμος ὁ τῶν Ἀθηναίων ἐξαπατηθεὶς, ἔδωκε οἱ τῶν ἀστῶν καταλέξας ἄνδρας τοὺς οἱ δορυφόροι μὲν οὐκ ἐγένοντο Πεισιστράτου κορυνηφόροι δὲ· ξύλων γὰρ κορύνας ἔχοντες εἰποντο οἱ ὅπισθε· συνεπαναστάντες δὲ οὔτοι ἅμα Πεισιστράτῳ ἔσχον τὴν ἀκρόπολιν. Plut. *Sol.* 30 § 1, κατατρώσας αὐτὸς ἑαυτὸν ὁ Πεισίστρατος. Polyzen. i 21 § 3 and Diogen. Laert. i 60 have κατατρώσας, οἱ κατέτρωσεν, iδ. § 66 ἐαυτῷ τραύματα ποιήσας. Diod. Sic. xiii 95 end, (of P.) ἐαυτὸν κατατραυματίσαντα προελθεῖν. κατατραυματίῳ is also found in Polyb. xv 13 § 1, Dion. Halic. and Dio Cass.

Ἀριστίωνος κτλ.] Plut. *Sol.* 30 § 2, Ἀρίστωνος (sic) δὲ γράψαντος, ὅπως δοθῶσι πεντήκοντα κορυνηφόροι τῷ Πεισιστράτῳ φυλακῇ τοῦ σώματος.

κορυνηφόρους] Plat. *Rep.* 566 B, τὸ δὲ τυραννικὸν αἷμα τὸ πολυθρόνον... αἰτεῖν τὸν δῆμον φύλακας τινὰς τοῦ σώματος. Ar. *Rhet.* i 2, 19, Πεισίστρατος ἐπιβουλεύων ἤτει φυλακὴν καὶ λαβὼν ἐτυράν-

μένους, ἐπαναστὰς μετὰ τούτων τῷ δήμῳ κατέσχε τὴν ἀκρόπολιν
 ἔτει †δευτέρῳ† καὶ τριακοστῷ μετὰ τὴν τῶν νόμων θέσιν, ἐπὶ
 2 Κ[ωμ]έου ἄρχοντος. λέγεται δὲ Σόλων, Πεισιστράτου τὴν
 φυλακὴν αἰτοῦντος, ἀντιλέξει καὶ εἰπεῖ[ν] ὅτι τῶν μὲν εἷη
 σοφώτερος, τῶν δ' ἀνδρεῖό[τερο]ς· ὅσοι μὲν γὰρ ἀγνοοῦσι Πεισί- 10
 στρατον ἐπιτιθέμενον τυραν[νίδι], σοφώτερος εἶναι τούτων, ὅσοι δ'
 εἰδότες κατασιωπῶσιν, ἀνδρεῖότερος. ἐπεὶ δὲ λέγων [οὐκ ἔπει]θεν,
 ἐξαράμενος τὰ ὄπλα πρὸ τῶν θυρῶν αὐτὸς μὲν ἔφη βεβωηθηκέναί

7 δευτέρῳ: δ' (=τετάρτῳ) K-W et Bauer (B). 8 ΠΙΣΙΣΤΡΑΤΟΥ ut saepe:
 Πεισ. ubique K³ etc. 12 ΚΑΤΑΣΙΩΠΩΝΤΕΣ: correxit K. οὐκ ἔπειθεν R D
 Hicks (K-W, H-L, K³). 13 ΕΞΑΙΡΑΜΕΝΟΣ: ἐξαράμενος K (K-W, H-L).

TESTIMONIA. 8—15. Verbis fere isdem rem narrat Aelianus, *Var. Hist.* viii 16:
 ... (Σόλων) ἔφη ὅτι τῶν μὲν ἐστὶ σοφώτερος, τῶν δὲ ἀνδρεῖότερος· ὅπόσοι μὲν μὴ γινώ-
 σκουνσι ὅτι φυλακὴν λαβὼν περὶ τὸ σῶμα τύραννος ἔσται, ἀλλὰ τούτων μὲν ἐστὶ σοφώ-
 τερος· ὅπόσοι δὲ γινώσκοντες ὑποσιωπῶσι, τούτων ἀνδρεῖότερός ἐστιν. ὁ δὲ λαβὼν τὴν
 δύναμιν τύραννος ἦν. καθεζόμενος δὲ Σόλων πρὸ τῆς οἰκίας, τὴν ἀσιπδα καὶ τὸ δόρυ
 παραθέμενος ἔλεγεν ὅτι ἐξώπλισται καὶ βοηθεῖ τῇ πατρίδι ἢ δύναται.

νευσε. *Pol.* viii (v) 9, 1310 b 15, σχεδὸν
 γὰρ οἱ πλείστοι τῶν τυράννων γεγόνασιν ἐκ
 δημαγωγῶν ὡς εἰπεῖν, πιστευθέντες ἐκ τοῦ
 διαβάλλειν τοὺς γνωρίζοντες, and *ib.* 30, ὅλον
 ... Πεισιστράτος Ἀθήνησι... ἐκ δημαγωγίας
 τύραννος κατέστη.

κατέσχε τὴν ἀκρόπολιν] *Plut. Sol.*
 30 § 4, τὴν ἀκρόπολιν κατέσχε. *Phaedrus*
 i 2, 5, *arcem tyrannus occupat Pisistratus*.
 The political importance of the citadel in
 revolutions is exemplified in *Juv.* x 307 n,
Lucan viii 490, *Diod. Sic.* xvi 70 § 4,
Plut. Timol. 20 § 1 (Mayor).

ἔτει—τριακοστῷ] As Comeas was
 archon in 560 B.C., it would follow
 from the manuscript text that Solon was
 archon in 591. But, as Solon was more
 probably archon in 594, δευτέρῳ should
 be altered into τετάρτῳ, the former being
 possibly a corruption of δ. We thus get
 an interval of 33 years and keep the usual
 date for Solon's archonship (Bauer, p.
 45 f).

ἐπὶ Κωμέου] *Plut. Sol.* 32, ἐπεβίωσε
 δ' οὐν ὁ Σόλων ἀρξαμένου τοῦ Πεισιστράτου
 τυραννεῖν, ὡς μὲν Ἑρακλείδης ὁ Ποντικὸς
 ἱστορεῖ, συγχρὸν χρόνον, ὡς δὲ Φάνίας ὁ Ἑρέ-
 σιος ἐλάττωα δυοῖν ἐτών. ἐπὶ Κωμίῳ ἀρ-
 χοντος μὲν γὰρ ἤρξατο τυραννεῖν Πει-
 σίστρατος, ἐφ' ἧς Πειστράτου δὲ Σόλωνά
 φησιν ὁ Φάνίας ἀποθανεῖν τοῦ μετὰ Κωμίαν
 ἀρξάντος. (Plutarch is possibly quoting
 from the work of Phantias, on τυράννων
 ἀναίρεσις ἐκ τιμωρίας. Oncken, *Staatslehre*,
 ii 445 n.)

The present treatise and the *Politics*, v

5, 23, agree in stating that Peisistratus
 lived for 33 years after usurping the
 government of Athens; the Peisistratidae
 ruled for 18 years (*Pol. l.c.*), and the
 interval between their expulsion and the
 battle of Marathon was 19 years (*Thuc.*
 vi 59). Thus the rule of Peisistratus be-
 gan 70 years before B.C. 490, i.e. in 560.
 The year given by the Parian Marble
 (297+264/3=) 561/0 (as well as by
 Jerome and the Armenian version of
 Eusebius) must be corrected to 560
 (Clinton's *Fasti, sub anno*).

§ 2. εἰπεῖν ὅτι τῶν—ἀνδρεῖότερος] *Plut.*
Sol. 30, ὁρῶν δὲ τοὺς μὲν πένητας ὥρμημέ-
 νους χαρίζεσθαι τῷ Πεισιστράτῳ καὶ θορυ-
 βοῦντας, τοὺς δὲ πλουσίους ἀποδιδράσκοντας
 καὶ ἀποδειλιῶντας, ἀπῆλθεν εἰπὼν, ὅτι τῶν
 μὲν ἐστὶ σοφώτερος, τῶν δὲ ἀνδρεῖότερος·
 σοφώτερος μὲν τῶν μὴ συνιέντων τὸ πραττό-
 μενον, ἀνδρεῖότερος δὲ τῶν συνιέντων μὲν,
 ἐναντιοῦσθαι δὲ τῇ τυραννίδι φοβουμένων.
 Cf. *Diog. Laert.* i 49—50, 65; *Aelian*
Var. Hist. viii 16 (who tells the story in
 almost the same words as the text); and
Aristid. i 765 Dind. The story is also told
 in *Valer. Max.* v 3 E 3, viii 9 E 1.

ἐξαράμενος τὰ ὄπλα] *Plut. Sol.* 30,
 οὐδενὸς δὲ προσέχοντος αὐτῷ διὰ τὸν φόβον
 ἀπῆλθεν εἰς τὴν οἰκίαν τὴν ἐαυτοῦ καὶ
 λαβὼν τὰ ὄπλα καὶ πρὸ τῶν θυρῶν θέμενος
 εἰς τὸν στενωπὸν, “ἐμοὶ μὲν” εἶπεν “ὡς
 δυνατόν ἦν βεβοήθηκα τῇ πατρίδι καὶ τοῖς
 νόμοις.” *Moralia* 794 E, ὁ δὲ Σόλων, τῆς
 Πεισιστράτου δημαγωγίας ὅτι τυραννικὸν
 ἦν μηχανῆμα φανερὰς γενομένης, μηδενὸς

τῇ πατρίδι καθ' ὅσον ἦν δυνατός (ἤδη γὰρ σφόδρα πρεσβύτης ἦν),
 15 ἀξιοῦν δὲ καὶ τοὺς ἄλλους ταῦτο τοῦτο ποιεῖν. Σόλων [μέν οὖν 3
 οὐ]δὲν ἤνυσεν τότε παρακαλῶν Πεισίστρατος δὲ λαβὼν τὴν
 ἀρχὴν διώκει τὰ κοινὰ πολιτικῶς μᾶλλον ἢ τυραννικῶς. οὐπω δὲ
 τῆς ἀρχῆς ἐρριζωμένης ὁμοφρονήσαντες [οἱ] περὶ τὸν Μεγακλέα
 καὶ τὸν Λυκοῦ[ργο]ν ἐξέβαλον αὐτὸν ἔκτῳ ἔτει μετὰ τὴν πρώτην

16 ἤνυσεν H-L.

ἀμύνεσθαι μηδὲ κωλύειν τολμῶντος, αὐτὸς ἐξενεγκάμενος τὰ ὄπλα καὶ πρὸ τῆς οἰκίας θέμενος, ἤξιον βοηθεῖν τοὺς πολίτας. Diod. Sic. ix 29 Bekker, οὐδενὸς δὲ αὐτῷ προσέχοντος ἀναλαβὼν τὴν πανοπλίαν προήλθεν εἰς τὴν ἀγορὰν γεγρακῶς, καὶ τοὺς θεοὺς ἐπιμαρτυρόμενος ἔφησε καὶ λόγῳ καὶ ἔργῳ τῇ πατρίδι κινδυνεούσῃ βεβηθηκέναι τὸ κατ' αὐτὸν μέρος. Grote, ii 352, says of this incident, as related by Plutarch: 'As a last appeal, he put on his armour and *planted himself* in military posture before the door of his house.' θέμενος, however, is not used absolutely, but must be construed with ὄπλα.

§ 3. **πολιτικῶς μᾶλλον ἢ τυραννικῶς**] Cf. *inf.* c. 16 § 8. Hdt. i 59, οὐτε τιμὰς τὰς εἰούσας συνταράξας οὐτε θέσμις μεταλλάξας, ἐπὶ τε τοῖσι κατεστυγμένοις ἐνεμε τὴν πόλιν κοσμέων καλῶς τε καὶ εὖ. Thuc. vi 54. For πολιτικῶς, cf. (with Mr Wyse) Isocr. iv 79, 151; ix 46, *Ep.* ii 3.

οὐπω δὲ—ἐξέβαλον αὐτόν] Hdt. i 60, μετὰ δὲ οὐ πολλὸν χρόνον τῷτ' ὄφρονήσαντες οἱ τε τοῦ Μεγακλέος στασιώται καὶ οἱ τοῦ Λυκοῦργου, ἐξελαύνουσί μιν. οὕτω μὲν Πεισίστρατος ἔσχε τὸ πρῶτον Ἀθήνας, καὶ τὴν τυραννίδα οὕκω κάρτα ἐρριζώμενην ἔχων ἀπέβαλε.

ἔκτῳ ἔτει] The sixth year from 560/59 would be 555/4.

The following are the notes of time given in the manuscript text for the chronology of Peisistratus:

14 § 1. Beginning of rule. ἐπὶ Κωμέου.

14 § 3. First exile. ἔκτῳ ἔτει.

14 § 4. First return. ἔτει δωδεκάτῳ μετὰ ταῦτα.

15 § 1. Second exile. ἔτει μάλιστα ἐβδόμῳ.

15 § 2. Second return. ἐνδεκάτῳ... ἔτει.

17 § 1. Total duration of rule. (ἐτη) ἐνὸς δέοντα εἴκοσι.

1b. Death, 33 years from beginning of rule. ἐπὶ Φιλονέῳ ἀρχοντος..ἐτη τριᾶκοντα καὶ τρία.

The above data alone account for a total of at least (5+11+6+10=) 32 years; and, as Peisistratus lived for

33 years after usurping the government, they leave only one year for the third period of rule. But c. 17 § 1 tells us that he ruled for 19 years in all; if so, his third period of rule must have lasted (19-5-6=) 8 years. On the other hand, the passage in *Pol.* v 9 § 23, p. 1315 b 32, gives 17 years for the total duration of his rule, thus leaving 6 years for the third period. The chronology has been much discussed both before and after the discovery of this treatise. The following table gives a conspectus of some of the arrangements proposed. As typical instances, before the discovery of this treatise, I have selected Clinton (*Fasti*, vol. ii, Appendix 11) and Busolt (i 551). To these I have added the years as arranged by Bauer (*Forschungen zu Ar.* Ἀθ. πολ.), and Poland (in the notes to his German transl.). Thus far the chronology proposed accords, in the total number of years of rule and exile, with the data in the *Politics*. The other two estimates, those of Mr Kenyon and M. Th. Reinach, adhere more closely to the data of the present treatise.

	Clinton	Busolt	Bauer	Poland	Kenyon	Reinach
1st τυραννίς	6	5	5	5	5	5
1st exile	6	5	6	6	4	3
2nd τυραννίς	1	1	1	6	6	6
2nd exile	10	11	10	10	10	10
3rd τυραννίς	10	11	11	6	8	c.9
years of τυραννίς	17	17	17	17	19	c.20
years of exile	16	16	16	16	14	c.13

It will be observed that there is a general consensus as to the duration of the first τυραννίς and the second exile. The greatest discrepancies are in the duration of the second and third τυραννίς.

4 κατὰστασιν, ἐφ' Ἑγησίου ἄρχοντος. ἔτει δὲ †δωδεκάτῳ† μετὰ 20 ταῦτα περιελαυνόμενος ὁ Μεγακλῆς τῇ στάσει, πάλιν ἐπικηρυκευσάμενος πρὸς [τὸ]ν Πεισίστρατον ἐφ' ᾧ τε τὴν θυγατέρα αὐτοῦ λήγεται, κατήγαγεν αὐτὸν ἀρχαϊκῶς καὶ λίαν ἀπλῶς. προδιασπείρας γὰρ λόγον ὡς τῆς Ἀθηνᾶς καταγούσης Πεισίστρατον, καὶ γυναικα μεγάλην καὶ καλὴν ἐξευρών, ὡς μὲν Ἡρόδοτός φησιν 25 ἐκ τοῦ δήμου τῶν Παιανιέων, ὡς δ' ἔνιοι λέγουσιν ἐκ τοῦ Κολλυτοῦ στεφανόπωλιν Θρᾶτταν, ἣ ὄνομα Φύη, τὴν θεὸν ἀπομιμησάμενος τῷ κόσμῳ συν[εισή]γαγε[ν] μετ' αὐτοῦ, καὶ ὁ μὲν Πεισίστρατος

20 δωδεκάτῳ (K, H-L): τετάρτῳ Thompson (K-W¹); πέμπτῳ K-W².

21 ταῦτα:

ταύτην Bauer.

23 ἀρχαϊκῶς ἀρχαϊκῶς (K, H-L, B), cf. *Met.* 1089 a 2 Bonitz ἀρχαϊκῶς ἀπορήσαι: ἀρχαίως H-W, cf. *Pol.* 1330 b 33 λίαν ἀρχαίως ὑπολαμβάνουσι.

25 [καὶ] γυναικα K-W². φησιν: ΦΗ. 26 Παιανιῶν H-L. ΚΟΛΥΤΟΥ, etiam altera τ, et fortasse altera λ, suprascripta. 28 συνεισήγαγεν (H-L, K³) potius quam κατήγαγεν (K¹, K-W) in papyro legi putat K; εἰσήγαγε coniecerat Richards.

23 Plut. *Sol.* 3 § 5 (de alia re) ἀπλοῦς ἐστὶ λίαν καὶ ἀρχαῖος, unde apparet hanc narrationem Plutarcho fuisse notam.

In the first exile, Bauer and Poland assume that ἔτει δωδεκάτῳ (14 § 4) is reckoned from the beginning of the usurpation and that μετὰ ταῦτα is to be either omitted or altered into μετὰ ταύτην; while Mr Kenyon and M. Reinach alter δωδεκάτῳ into τετάρτῳ. In the second τυραννίς, Bauer alters ἔτει...ἐβδόμῳ (15 § 1) into μηνί...ἐβδόμῳ. For the length of the third τυραννίς we have no data except those gained by subtracting the two earlier periods of rule from the total duration of actual rule. Of the above arrangements, Mr Kenyon's alone strictly adheres to the total of 19 years. The 19 years of this treatise do not seem to admit of being reconciled with the 17 years of the *Politics*. It is suggested by Bauer that the difference may be obtained by supposing that the fractions of the years in the three periods of rule were included in one reckoning and included in the other. This would imply that each of the three periods of rule, as estimated in the present treatise, extended to an average of two-thirds of a year beyond the duration stated in the *Politics*. This is possible, but not probable. It may be added that the genuineness of the passage in the *Politics* is not certain. Susemihl, in his 2nd and 3rd editions, brackets the whole of the paragraph in which it occurs; and, even if both passages are equally due to Aristotle, the present treatise may possibly represent his latest views.

§ 4. ἔτει δωδεκάτῳ μετὰ ταῦτα] This would naturally mean 'eleven years after the first exile.' But the sum of the two periods of exile was (according to 17 § 1) 33 - 19, or 14 years; and the second exile lasted 10 years (15 § 2), leaving only four years for the first exile. Such a number of years may perhaps be obtained by altering δωδεκάτῳ into τετάρτῳ (see *N. C.*), and by assuming that the symbol δ followed by the erroneous explanation δεκάτῳ led to the reading δωδεκάτῳ. Another alternative (adopted in Kaibel and Kiessling's transl.) is to count the eleven years from the beginning of the rule of Peisistratus. This involves either omitting μετὰ ταῦτα or altering it into μετὰ ταύτην (τὴν πρώτην κατὰστασιν). See Bauer, p. 50 f.

περιελαυνόμενος κτλ.] Hdt. i 60, περιελαυνόμενος δὲ τῇ στάσει ὁ Μεγακλῆς ἐπικηρυκεύετο Πεισιστράτῳ, εἰ βούλοιτό οἱ τὴν θυγατέρα ἔχειν γυναικα ἐπὶ τῇ τυραννίδι.

θυγατέρα] Κοισύραν, Schol. Arist. *Nub.* 49, 800, and Suidas, s. v.

Ἡρόδοτος] i 60 ad fin., ἐν τῷ δήμῳ τῷ Παιανίει. This is the only passage in which any writer of prose is named in this treatise. The only poet quoted by name is Solon.

Κολλυτοῦ] Wachsmuth, *Stadt Athen*, ii 262 f.

Φύη] The Schol. on Arist. *Eg.* 449 calls her Μυρρίνη.

ἐφ' ἄρματος εἰσήλανε παραιβατούσης τῆς γυναικός, οἱ δ' ἐν τῷ
30 ἄστει προσκυνούντες ἐδέχοντο θαυμάζοντες.

15. ἡ μὲν οὖν πρώτη κάθοδος ἐ[γένε]το τοιαύτη. μετὰ δὲ
ταῦτα, ὡς ἐξέπεσε τὸ δεύτερον ἔτει μάλιστα ἐβδόμῳ μετὰ τὴν
κάθοδον,—οὐ γὰρ πολλὸν χρόνον κατεῖχεν, ἀλλ[ὰ] διὰ τὸ μὴ
βούλεσθαι τῇ τοῦ Μεγακλέους θυγατρὶ συγγίγνεσθαι φοβηθεὶς ἀμ-
5 φοτέρας τὰς στάσεις ὑπεξῆλθεν· καὶ πρῶτον μὲν συνώκισε περὶ 2
τὸν Θερμαῖον κόλπον χωρίον δὲ καλεῖται 'Ραϊκήλος, ἐκεῖθεν δὲ
παρῆλθεν εἰς τοὺς περὶ Πάγγαιον τόπους, ὅθεν χρηματισά-

30 προσκυνούντες delet Gennadios τοῦ θαυμάζοντες interpretamentum arbitratus. θαυμάζοντες delet Richards (H-L), defendit Gennadios coll. Xen. *Hell.* i 6, 11.

XV 2 ΤΑΥΤΑΩΣΕΖ (K, B): ταὐτ' ἐξέπεσε K-W. ταὐτ' αὐθις ἐξέπεσε Gennadios (H-L). ἐβδόμῳ: τρίτῳ coni. K-W.

3 ΚΑΤΕΣΧΕΝ, κατεῖχεν Wyse (K-W, H-L, K³): δια- κατέσχευ B. 4 CYΓΓIN (K-W). 5 συνώκισε: ὤκισε coni. Gennadios, Hude

(H-L, B). 6 ΡΑΚΗΔΟΣ.

παραιβατούσης] A noteworthy Ionism, but not derived from the account in Hdt. The same word is used as a reference to the same incident in Cleidemus, *ap.* Athenaeum, 609 c, στεφανόπω-
λις δὲ ἦν, καὶ αὐτὴν ἐξέδωκε πρὸς γάμου κοινωνίαν ὁ Πεισίστρατος Ἰππάρχῳ τῷ υἱῷ, ὡς Κλειδῆμος ἱστορεῖ ἐν ὀγδόῳ βύστων·
“ἐξέδωκε δὲ καὶ Ἰππάρχῳ τῷ υἱεὶ τὴν παραιβατήσασαν αὐτῷ γυναῖκα Φύην, τὴν Σωκράτους θυγατέρα” (Müller, FHG i 364). Cleidemus, who wrote an *Atthis* (Athen. 235 A), has been identified with Cleitodemus, mentioned by Pausanias (x 15, 5) as the most ancient writer of Athenian history. Plutarch (*Arist.* 19) refers to his account of the battle of Plataea; so that his date is after 479 B.C.

The story is also told in Polyæn. i 21, 1; Val. Max. i 3, 3; Hermogenes *de Invent.* ii 185, 21 Spengel, with Schol.; and Phylarchus *ap.* Athen. 609 c (Mayor).

XV § 1. ἔτει μάλιστα ἐβδόμῳ] It has been urged by Bauer (p. 51) and Rühl (*Rhein. Mus.* 1891, p. 442), that it is improbable that Megacles waited so long as six years to avenge the neglect of his daughter by her husband, Peisistratus; and the text implies that the duration of the second τυραννὶς was short. Bauer accordingly suggests that ἔτει should be altered into μηνί, and for similar reasons K-W alter ἐβδόμῳ into τρίτῳ. On the other hand it is plausibly suggested by Gomperz (p. 23 n) that the compact between Megacles and Peisistratus was made before the daughter of the former had attained a marriageable age.

τῇ τοῦ Μεγακλέους θυγατρὶ] Hdt. i 61, οἶα δὲ παίδων τέ οἱ ὑπαρχόντων νενηνῶν καὶ λεγομένων ἐναγγέων εἶναι τῶν Ἀλκμεωνιδέων, οὐ βουλόμενός οἱ γενέσθαι ἐκ τῆς νεογάμου γυναικὸς τέκνα ἐμάρτετό οἱ οὐ κατὰ νόμον.

ὑπεξῆλθεν] Hdt. i 61, ἀπαλλάσσετο ἐκ τῆς χώρας τὸ παράπαν, ἀπικόμενος δὲ ἐς Ἐρέτριαν ἐβουλεύετο ἅμα τοῖς παισὶ. Herodotus mentions the help offered by the Thebans and Argives, and by Lygdamis of Naxos, and then continues: ἐξ Ἐρετρίας δὲ ὀρμηθέντες διὰ ἐνδεκάτου ἔτεος ἀπίκοντο ὀπίσω. Eretria alone is there mentioned in connexion with this period of exile.

§ 2. 'Ραϊκήλος] The Schol. on Lycophron, 1236, states that this was the old name of Αἰνός in Macedonia. It is identical with the Αἰνεία of Hdt. vii 123, and is situated to the S. of the promontory at the extreme west of Chalcidice, opposite the mouth of the Axios and Ludias. (There was another Αἰνός in Thrace, near the mouth of the Hebrus.)

τοὺς περὶ Πάγγαιον τόπους] the region near the mouth of the Strymon. Though Herodotus says nothing of this region in connexion with the second exile of Peisistratus, the account in the text is illustrated by the passage in which the historian says of the tyrant on his final restoration: (i 64), ἐρρίζωσε τὴν τυραννίδα ἐπικουρούσιν τε πολλοῖσι, καὶ χρημάτων συνόδοισι, τῶν μὲν αὐτόθεν, τῶν δὲ ἀπὸ Στρυμόνος ποταμοῦ συνιόντων. Here τῶν μὲν and τῶν δὲ naturally refer to χρημάτων alone, and συνιόντων in the second clause echoes

μενος καὶ στρατιώτας μισθωσάμενος, ἐλθὼν εἰς Ἑρέτριαν ἐνδε-
κάτῃ πάλιν ἔτει τό<τε> πρῶτον ἀνασφάσθαι βίαν τὴν ἀρχὴν
ἐπεχειρεῖ, συμπροθυμουμένων αὐτῷ πολλῶν μὲν καὶ ἄλλων,¹⁰
μάλιστα δὲ Θηβαίων καὶ Λυγδάμιος τοῦ Ναξίου, ἔτι δὲ τῶν
3 ἱππέων τῶν ἐχόντων ἐν Ἑρετρίᾳ τὴν πολιτείαν. || νικῆσας δὲ τὴν
[Col. 6.]

9 τό<τε> Blass (K-W, H-L, K³).

ΔΝΑΔΩCΑCΘΑΙ, ἀνασφάσθαι K³, B:

C

ΔΝΑΚΤΗCΑCΘΑΙ?, ἀνακτήσασθαι Herwerden (K-W).

TESTIMONIA. 12—13 *Schol. Arist. *Ach.* 234 Παλλήναδε: οἱ Παλληνεῖς δημὸς
ἐστὶ τῆς Ἀττικῆς, ἔνθα Πεισιστράτῃ βουλομένῳ τυραννεῖν καὶ Ἀθηναίοις ἀμυνομένοις
αὐτὸν συνέστη πόλεμος... μέμνηται δὲ τούτου καὶ Ἀνδροτίῳ καὶ Ἀρ. ἐν Ἀθ. πολ. (Rose,
Frag. 355², 393³).

συνόδοις (= προσόδοις) in the first. We may therefore agree with Thirlwall (ii p. 61), as against Grote (iii 92 n), who refers τῶν μὲν τοῦ χρημάτων and τῶν δὲ τοῦ ἐπικουροῦσι. Thirlwall had said of Peisistratus that he 'possessed lands on the Strymon in Thrace, which yielded him a large revenue.' Grote thought this improbable, adding: 'If Peisistratus had established any settlement at the mouth of the Strymon, we must surely have heard something of it afterwards.' The text does not indeed tell us that Peisistratus made an actual settlement near that river, but it supplies us with exactly the kind of evidence which would have removed Grote's hesitation in accepting Thirlwall's inference from the account in Herodotus. The text tells us more than the historian. It informs us definitely that Peisistratus visited the region near the mouth of the Strymon, and thence drew his supplies of men, as well as of money.

It is interesting to notice these details respecting Rhacelus and the country around Mount Pangaeus. The Pangaeon Mount is plainly visible across the gulf of the Strymon from the neighbourhood of Stageira; and the bold promontory, north of Rhacelus, is in full view across the plains that extend to the mouth of the Ludias from the Macedonian capital at Pella. These topographical considerations may serve to support the ascription of the treatise to the authorship of Aristotle, who was a Macedonian by birth and spent the first seventeen years of his life, and seven years besides, at his native town of Stageira. In the *Historia Animalium*, pp. 592 a 7, 597 a 10, Aristotle makes special mention of the eels and the pelicans of the Strymon.

πάλιν] confirms the account of Hdt., implying that Peisistratus had in the first

instance retired to Eretria, though we are not expressly told so in the text.

ἀνασφάσθαι...τὴν ἀρχήν] Hdt. i 73, ἀνασφάσθαι τὴν ἀρχήν, and in the same chapter ἀναλαβεῖν and ἀνακτᾶσθαι τὴν ἀρχήν.

Θηβαίων] Hdt. i 61, πολλῶν δὲ μεγάλα παρὰσχόντων χρήματα, Θηβαῖοι ὑπερεβάλλοντο τῇ δόσει τῶν χρημάτων.

Λυγδάμιος] Hdt. l.c., καὶ γὰρ Ἀργεῖοι μισθωτοὶ ἀπὸ κοινοῦ ἐκ Πελοποννήσου, καὶ Νάξιος σφεὶ ἀνὴρ ἀπικυμένος ἐθελοντῆς, τῷ ὀνόματι ἦν Λύγδαμης. Ar. *Pol.* viii (v) 5, 1305 a 42, ὅταν ἐξ αὐτῆς συμβῇ τῆς ὀλιγαρχίας γίνεσθαι τὸν ἡγεμόνα, καθάπερ ἐν Νάξῳ Λύγδαμης, ὃς καὶ ἐτυράννησεν ὕστερον τῶν Ναξίων. The story of the way in which Lygdamis became tyrant of Naxos is quoted in Athen. viii 348, from 'Aristotle ἐν τῇ Ναξίων πολιτείᾳ.' In consequence of the wrongs done by some Naxian youths to the wealthy and popular Telestagoras and his two daughters, ἀγανακτήσαντες οἱ Νάξιοι καὶ τὰ ὄπλα ἀναλαβόντες ἐπῆλθον τοῖς νεανίσκοις· καὶ μεγίστη τότε στάσις ἐγένετο, προστατούντος τῶν Ναξίων Λυγδάμης, ὃς ἀπὸ ταύτης τῆς στρατηγίας τύραννος ἀνεφάνη τῆς πατρίδος. (Frag. 558 Rose³.)

τῶν ἱππέων—πολιτείαν] 'the Knights who held the supreme power in the constitution of Eretria' (K.). πολιτεία is here *ius civitatis*, *potestas in civitate*, often used in the *Politics* in the phrase μετέχειν τῆς πολιτείας (*Index Ar. s. v.* 3). Eretria was under the rule of an oligarchy of Knights, which was overthrown by one Diagoras, probably not long before the Persian wars, *Pol.* viii (v) 6, 1306 a 35, τὴν ἐν Ἑρετρίᾳ δ' ὀλιγαρχίαν τὴν τῶν ἱππέων Διαγόρας κατέλυσε ἀδικηθεὶς περὶ γάμων, and vi (iv) 3, 1289 b 36, ἐπὶ τῶν ἀρχαίων χρόνων ὅσαι πόλεις ἐν τοῖς ἵπποις ἢ δούμαις ἦν, ὀλιγαρχία παρὰ τούτοις ἦσαν.

ἐπὶ Παλληνίδι [μάχη]ν καὶ λαβὼν [τὴν ἀρχή]ν καὶ παρελόμενος τοῦ δήμου τὰ ὅπλα κατέειχεν ἤδη τὴν τυραννίδα βεβαίως, καὶ 15 Νάξον ἐλὼν ἄρχοντα κατέστησε Λύγδαμιν. παρείλε[το] δὲ τοῦ 4 δήμου τὰ ὅπλα τόνδε τὸν τρόπον. ἐξοπλισίαν ἐν τ[ῷ] Θησείῳ

13 ἀναβῶν? Richards.

14—15 καὶ γὰρ Νάξον ἐλὼν K-W: καὶ Νάξον ἐλὼν K³, B; καὶ εἰς Νάξον ἐλθὼν K¹ (H-L). 15 παρείλετο Rutherford, K-W, H-L, K³: παρείλεν K¹.

16 ΕΞΟΠΛΑΣΙΑΝ retinuerunt Kontos, K-W, B, titulus nonnullis freti (Dittenberger 158, 11, titulo Iliensi post Alexandri mortem scripto, τῶν ἐξοπλισίων, et 349, 40, lapide in insula Ceo invento, ἐν τῇ ἐξοπλῆσει ἐξετάειν; eadem scriptura etiam in Diodori Siculi codicibus servata est). ΘΗΣΕΙΩΙ nunc in papyro legit K (B): ΔΗΛΑΚΕΙΩΙ legunt K-W, quod ex Polyaeo quondam sumpserat K¹ (H-L).

ἐχρῶντο δὲ πρὸς τοὺς πολέμιους ἵπποις πρὸς τοὺς ἀστυγείτονας, οἷον Ἐρετριεῖς καὶ Χαλκιδεῖς κτλ. An inscription preserved in the temple of Artemis, about a mile from the city, recorded that the Eretrians used to march to that temple with 3000 hoplites, 600 horsemen, and 60 chariots (Strabo, p. 448). Cf. Gilbert, *Gr. St.*, ii 67 n.

§ 3. τὴν ἐπὶ Παλληνίδι μάχη] On the way from Marathon to Athens. Hdt. i 62, ἐπὶ Παλληνίδος Ἀθηναίων ἱκόν. The deme Pallene lay near Gargettos, between Pentellicus and the northern spurs of Hymettus. It has been proposed to place it S.E. of Hymettus, near *Koropi* (*Ath. Mittheilungen*, xvi 200—234); but this appears to have been the site of Sphektos, and the proposed identification does not suit the data in Hdt.; while the name of Pallene survives in *Ballána* between *Kantzā* and *Hieraka* (Milchhöfer in *Berl. Phil. Wochenschr.*, 1892, no. 1 and 2). Cf. Arist. *Ach.* 233 βλέπειν Βαλλήραδε. In the Austrian map the name *Balinas* is given to a stream which rises near *Kantzā* and falls into the sea at Araphen, after flowing in a direction parallel to the route by which Peisistratus marched to Athens round the S. of Pentellicus.

Νάξον—Λύγδαμιν] Hdt. i 64, καὶ γὰρ ταύτην ὁ Πεισίστρατος κατεστρέψατο πολέμῳ καὶ ἐπέτρεψε Λύγδαμιν. Schol. Aristoph. *Vesp.* 355, Νάξος ἐάλω ἐπὶ Πεισιστράτου.

As Polycrates came to the end of his rule of 16 years in B.C. 521, having been aided in its establishment by Lygdamis, it follows that Lygdamis was in power at Naxos in 537 (Duncker, *G. d. A.* vi 465 and 512). As Peisistratus, who restored Lygdamis, died in 527, it would follow that the third *tyrannis* probably lasted 10 or 11 years. The only alternative is to suppose that Lygdamis aided Polycrates

before he himself needed the aid of Peisistratus.

§ 4. παρείλετο—τὰ ὅπλα] characteristic of a *tyrannis*. *Pol.* viii (v) 10, 1311 a 12, τὸ τῷ πλήθει μηδὲν πιστεύειν (διὸ καὶ τὴν παραίρεσιν ποιοῦνται τῶν ὅπλων).

ἐξοπλισίαν] Cf. Xen. *Anab.* i 7 § 10, ἐν τῇ ἐξοπλίσει, of an armed mustering of troops in preparation for a battle, the only passage in which the word is used by Xenophon. *Cyrop.* viii 5 § 9 ἐξόπλις. ἐξοπλίσσθαι occurs in *Anab.* i 8 § 3, ii 1 § 2, iv 6 § 7, v 9 § 11, ἐξοπλισμένους iii 1 § 28, iv 3 § 3. Diodorus xix 3 ἐν ταῖς ἐξοπλισίαις φέρειν πανοπλίαν.

The story is told as follows in Polyaeus i 21 § 2, Πεισίστρατος Ἀθηναίων τὰ ὅπλα βουλόμενος παρελῆσθαι, παρήγγειλεν ἡκεῖν ἅπαντας εἰς τὸ Ἀνάκειον μετὰ τῶν ὅπλων. οἱ μὲν ἦκον· ὁ δὲ προσήθε βουλόμενος δημηγορήσαι, καὶ σμικρὰ τῇ φωνῇ λέγειν ἤρχετο. οἱ δὲ ἐξακοῦειν μὴ δυνάμενοι, προσελθεῖν αὐτὸν ἤξισαν εἰς τὸ προπύλαιον, ἵνα πάντες ἀκούσειαν. ἐπεὶ δὲ ὁ μὲν ἡσυχὴ διελέγετο, οἱ δ' ἐντείναντες τὰς ἀκοὰς προσείχον, οἱ ἐπικούροι προσελθόντες ἀράμενοι τὰ ὅπλα κατήνεγκαν εἰς τὸ ἱερὸν τὸ Ἀγραῖον. Ἀθηναῖοι δὲ γυμνοὶ καταλειφθέντες, τότε ἦσθοντο τῆς Πεισιστράτου βραχυφωνίας, ὅτι ἄρα ἦν τέχνασμα κατὰ τῶν ὅπλων.

The Ἀνάκειον, or temple of the *Dioscuri* or Ἀνακες (Plut. *Thes.* 33, Cic. *Nat. Deor.* iii 53), mentioned by Polyaeus, stood S.E. of the market of the Ceramicus (Curtius, *Text der Sieben Karten*, p. 53; *Stadtgeschichte von Athen*, pp. XLVI and 82). It was probably some way up the northern slope of the Acropolis. Lucian, *Piscator*, 42, humorously describes the philosophers 'planting their ladders against the Ἀνάκειον, and swarming up' the Acropolis. Andocides, *De Myst.* i 45, mentions a cavalry muster at the Ἀνάκειον, and Thucydides, viii 93, says that the hoplites who had destroyed the

ποιησάμενος ἐκκλησιάζειν ἐπεχείρει, [τῆς δὲ φωνῆς ἐχάλλ]ασεν
μικρόν· οὐ φασκόντων δὲ κατακούειν ἐκέλευσεν αὐτοὺς προσαν[α]-
βῆ[ναι] πρὸς τὸ πρόπυλον τῆς ἀκροπόλεως ἵνα γεγώνη μᾶλλον.
ἐν ᾧ δ' ἐκεῖνος διέτριβε δημηγορῶν, ἀνελόντες οἱ ἐπὶ τούτῳ 20

17 τῆς δὲ φωνῆς ἐχάλασεν coniecit Kontos (laudent H-L in praefatione, accepit K³): [φθέγγεσθαι δ' ἐσπούδ]ασεν K-W; ἐπιτηδὲς δ' ἐφώνησε Tyrrell et Gertz (H-L in textu). 20 ΔΙΕΤΡΙΒΕ. 20—21 ΤΟΥΤ(ΩΝ). ΤΕΤΑΓ: τούτῳ Rutherford et J E B Mayor, coll. Plut. *Sulla* 14 § 10 Κουρίωνος ἐπὶ τούτῳ τεταγμένου (K³, B), τούτο K-W, τούτ' ἐπιτεταγμένου H-L.

fort of Eetioneia ἔθεντο ἐν τῷ Ἀνακείῳ τὰ ὄπλα (Miss Harrison, *Mythology etc. of Athens*, 152).

The precinct of Agraulos, also mentioned by Polyaeus, may be placed below the ancient stone staircase in the N. cliff of the Acropolis, some 60 yards W. of the N. Porch of the Erechtheum. (Cf. Curtius, *Stadtgeschichte*, pp. XLIV, 37.)

The Θησεῖον is mentioned in the text. Its position is approximately determined by the description of Pausanias. After leaving the Gymnasium and the Θησεῖον, which are near one another and 'not far from the Agora,' he passes from the Θησεῖον to the Ἀνάκειον, and adds that above the latter is the precinct of Agraulos (i 17 § 2, 18 §§ 1, 2). The Θησεῖον was probably E. of the Agora and is not to be confounded with the building on the 'hill of Colonus' within the walls, popularly called the 'Theseum,' but now generally identified as the temple of Hephaestus (Miss Harrison, *l. c.* 145, 118). According to Polyaeus, the weapons are at first left in the Ἀνάκειον and transferred to the Ἀγραῦλιον. According to the text, they are left in the Θησεῖον and are then locked up ἐν τῷ πλησίον οἰκήματι τοῦ Θησεῖου, not 'the buildings near the Theseum,' as we might have expected, but 'the neighbouring buildings of the Theseum.' The latter phrase suggests that some other building than the Θησεῖον has already been mentioned, and this (so far as it goes) is in favour of ἐν τῷ Ἀνακείῳ, although it is not in the MS. If ἐν τῷ Ἀνακείῳ is accepted, it proves that the *Theseum* is near the *Anaceum*, below the N. cliff of the Acropolis (C. Wachsmuth, *Rheinisches Museum*, xlii 327).

τῆς δὲ φωνῆς ἐχάλασεν μικρόν] Lucian, *Bis Accus.* 21, χαλόντες τοῦ τόνου, Aelian, *Hist. Anim.* xii 46.

With φθέγγεσθαι δ' ἐσπούδασεν μικρόν, printed by K-W, may be compared Dem.

F. L. 206, φθέγγεσθαι μέγιστον ἀπάντων, 216, καλὸν καὶ μέγα οὗτος φθέγγεται, ... φαῖλον ἐγώ, 337, καλὸν φθεγγόμεν, *Pant.* 37 § 52, μέγα φθέγγεται, *Sierph.* 45 § 77, λαλεῖν μέγα, *Lysias* 16 § 19, μικρόν διαλεγόμενοι. ἐσπούδασεν is not, however, convincing.

τὸ πρόπυλον] Apparently used on purpose to avoid the grander term προπύλαια, which would have been an anachronism in so far as it would have suggested the Propylaea of the time of Pericles. πρόπυλον itself is seldom used in the singular. Cic. *ad Att.* vi 1, 26, *audio Arrium πρόπυλον Eleusine facere*, Plut. *Mor.* 363 F, ἐν τῷ προπύλῳ τοῦ ἱεροῦ τῆς Ἀθηνῶν (at Sais), Plin. *N. H.* xxxv 101, *Minervae delubri propylon*, xxxvi 32, *in propyllo Atheniensium*. Pliny may have borrowed this exceptional form from Heliodorus, who possibly lived under Ptolemy Epiphanes, and wrote a work on the Acropolis (Wachsmuth, *Stadt Athen*, i 36). The word is found (in pl.) in Hdt., Hippocrates, and in an inscription from Smyrna. Mr H. Richards accordingly suggests that it may be an Ionism. But the word is also found in an inscr. of the 5th century from the Peiraeus, CIA ii 521 c, p. 122, προπύλον δημοσίου ὄρους.

Traces of the foundations of this ancient portal have been noticed S. of the E. hall of the Propylaea. It faced S.W. (Milchhöfer in Baumeister, *Denkm.* i 201 a).

γεγώνη] Ar. *De Anima* ii 8, 420 a 1, διὰ τὸ ψαθυρὸς εἶναι ὁ ἀὴρ οὐ γεγωνεῖ. περὶ ἀκουστών, 804 b 24, φθέγγονται μὲν ἀλλ' οὐ δύνανται γεγωνεῖν, ἀλλὰ μόνον φωνοῦσιν, cf. 802 b 6, a 23. *Probl.* 917 b 21, ὁ αὐτὸς τῇ αὐτῇ φωνῇ πορρωτέρω γεγωνεῖ μετ' ἄλλων ἄδων ἢ μόνος, cf. 901 b 31 γεγώνασι, 904 b 35 γεγωνῶς (*Index Ar.*). Antiphon, *de caede Herod.* 44, πολλῶν πλέον γεγωνεῖν ἔστι νύκτωρ ἢ μεθ' ἡμέραν (Cobet, *Mnem.* iv 153). γεγωνεῖν is the normal form in Attic prose, but the word is far from common.

τεταγμένοι τὰ ὅπλα [καὶ κατὰ] κλήσαντες εἰς [τὰ] πλησίον οἰκήματα τοῦ Θησείου διεσήμηναν ἐλθόντες πρὸς τὸν Πεισίστρατον· ὁ δέ, [ἐπεὶ τ]ὸν ἄλλον λόγον ἐπετέλεσεν, εἶπε καὶ περὶ τῶν ὀπλων, τὸ γεγονὸς [ὡς οὐ] χρὴ θαυμάζειν οὐ[δ' α]θυμῆν, ἀλλ' ἀπελθόντας ἐπὶ τῶν ιδίων εἶναι, τῶν δὲ κοινῶν [αὐτὸς ἐπι]μελήσεσθαι πάντων.

16. [ἡ μὲν οὖν Πει]σιστράτου τυραννὶς ἐξ ἀρχῆς τε κατέστη [τοῦτον] τὸν τρόπον καὶ [μεταβο]λὰς ἔσχε τοσαύτας. διώκει δ' ὁ 2 Πεισίστρατος, ὥσπερ εἴρηται, [τὰ κατὰ] τὴν πόλιν μετρίως καὶ μᾶλλον πολιτικῶς ἢ τυραννικῶς· ἔν τε γὰρ τοῖς ἄλλοις [φι]λάν- 5 θρωπος ἦν καὶ πρᾶος καὶ τοῖς ἁμαρτάνουσι συγγνωμονικός, καὶ δὴ καὶ τοῖς ἀ[πό]ροι[s] προεδάνειζε χρ[ήμα]τα πρὸς τὰς ἐργασίας, ὥστε διατρέφεσθαι γεωργοῦντας. τοῦτο δ' ἐποίει δυοῖν [χά]ριν, ἵν[α] 3 μῆτε ἐν τῷ ἄστει διατρίβωσιν ἀλλὰ διεσπαρμένοι κατὰ τὴν χώραν,

21 αὐτῶν [καὶ συγ]κλήσαντες K (K-W, H-L), sed αὐτῶν quidem in papyro abesse, partem autem notae quae κατὰ significaret apparere, indicavit Blass.

24 [καὶ ὡς οὐ χρὴ] H-L (K³), [ὡς οὐ] χρὴ B, [λέγων ὡς οὐ χρὴ] K¹; [ἔφη δ' οὐ δεῖν] K-W. ἀθυμῆν K-W (K³, B): [ἀγανακτ]εῖν H-L. 25 εἶναι add. Marchant coll. Aesch. 3 § 8, Dem. 15 § 11, 6 § 4, 26 § 33 et infra 16 § 3 πρὸς τοῖς ἰδίοις ὄντες. Compendium quod verbum εἶναι exprimit in papyro inesse divinavit Wyse, invenit K. αὐτὸς ἐπιμελήσεσθαι Blass, K-W, K³: αὐτὸς νῦν ἐπ. H-L.

XVI 3 εἴρηται [τὰ κατὰ] B: εἴρηται [ἡδὴ] (K³, K-W): εἰρήκαμεν (K¹, H-L). 4 τοῖς ἄλλοις (K³, K-W): τοῖς θ[εσμοῖς] K¹, ταῖς ὁμίλαις H-L. 5 ΠΡΑΟΣ (K, B), cf. Voemel, *Prolegomena Grammatica ad Dem. Contiones*, § 29: πρᾶος K-W, H-L.

6 προεδάνειζε Rutherford et quondam Wyse. 7 ΔΙΑ...ΦΕΣΓΕΩΡΓΟΥΝΤΑΣ litteris incertis scripta (K-W, K³, B): διαμπερὲς ἐγεωργοῦντο quondam K, διανεκὲς ἐγεωρ- γοῦντο H-L. 8 διεσπαρμένοι <ῶσι> Kontos (H-L).

τεταγμένοι] *Pol.* 1298 a 23, τὰς ἀρχὰς τὰς ἐφ' ἐκάστοις τεταγμένας. τετάχθαι may have ἐπὶ with the dat. or acc., the former is found in Xen., and both in Plato. *Plat. Rep.* 345 D, ἐφ' ᾧ τέτακται, *Crit.* 50 D, οἱ ἐπὶ τούτῳ τεταγμένοι νόμοι, *Leg.* 952 E, τοὺς ἐπὶ τούτοις ἄρχοντας τεταγμένους, *ib.* 772 B, ἐπὶ πάντα καὶ ἕκαστα ταχθεῖς (χρόνος), *Tim.* 47 C, λόγος ἐπ' αὐτὰ ταῦτα τέτακται. The gen. is comparatively rare.

§ 5. ἀθυμῆν] *Met.* iii 5, 1009 b 37, πῶς οὐκ ἄξιον ἀθυμῆσαι. δυσθυμῆν (*Hdt.* viii 10) is not found in Ar.

ἐπὶ τῶν ιδίων εἶναι] c. 16 § 3. *Pol.* viii (v) 8, 1309 a 6, οἱ γὰρ ἄποροι οὐ βουλῆσονται ἀρχειν τῷ μηδὲν κερδαίνειν, ἀλλὰ πρὸς τοῖς ἰδίοις εἶναι μᾶλλον, οἱ δὲ εὐποροὶ δυνήσονται διὰ τὸ μηδενὸς προσδεῖσθαι τῶν κοινῶν.

XVI § 2. εἴρηται] 14 § 3.

καὶ δὴ καὶ] § 10.

τοῖς ἀπόροις—γεωργοῦντας] In the

same spirit, we read in *Plut. Sol.* 31, ὡς δὲ Θεόφραστος ἰστόρηκε, καὶ τὸν τῆς ἀργίας νόμον οὐ Σόλων ἔθηκεν, ἀλλὰ Πεισίστρατος, ᾧ τὴν τε χώραν ἐνεργεστέραν καὶ τὴν πόλιν ἡρεμαιοτέραν ἐποίησεν. For διατρέφεσθαι Mr Wyse compares Xen. *de Red.* i 1; iv 49; *Schol. Aristoph. Vesp.* 1446, ἐργαζόμενοι διατρέφονται. For the general sense, cf. *Pol.* 1320 b 7, (even under a democracy) χαριέντων ἐστὶ καὶ νοὺν ἐχόντων γνωρίμων καὶ διαλαμβάνοντας τοὺς ἀπόρους ἀφορμὰς διδόντας τρέπειν ἐπ' ἐργασίας.

προεδάνειζε] In this verb πρὸ does not mean 'beforehand,' but 'in advance.' προδανείζειν, originally 'to make an advance,' develops the meaning 'to lend without interest.' The conjecture προσεδάνειζε, 'he also lent money,' is withdrawn. It rested on the assumption that προεδάνειζε meant 'he lent beforehand,' a sense unsuitable to the context (Wyse in *Class. Rev.* vi 254).

§ 3. μῆτε...ἀλλά] *Pol.* viii (v) 8, 1308

καὶ ὅπως [εὐπο]ροῦντες τῶν μετρίων καὶ πρὸς τοῖς [ἴ]δίους ὄντες
 μήτ' ἐπιθυμῶσι μήτε σχολάζ[ωσιν] ἐπιμελείσθαι τῶν κοινῶν. 10
 4 ἅμα δὲ συνέβαινε αὐτῷ καὶ τὰς προσόδους γίγνεσθαι μ[εῖ]ζο[υ]ς
 ἐξεργαζομένης τῆς χώρας· ἐπράττετο γὰρ ἀπὸ τῶν γιγνομένων
 5 δεκάτην. διὸ καὶ τοὺς κατὰ [δήμ]ους κατεσκεύαζε δικαστὰς καὶ
 αὐτὸς ἐξήει πολλάκις εἰς τὴν χώραν ἐπισκοπῶν [καὶ] διαλ[ύ]ων
 τοὺς διαφορομένους, ὅπως μὴ καταβαίνοντες εἰς τὸ ἄστυ παρα- 15
 6 μελῶσι τῶν [ἀγρ]ῶν. τοιαύτης γὰρ τιнос ἐξόδου τῷ Πεισιστράτῳ

11 ΓΙΝ (K-W) sed in versu proximo ΓΙΓΝ (K-W etc.).

12 ἐξ ἐργαζομένης H-L.

13 ΚΑΤΕΣΚΕΥΑΖΕ (K, H-L): κατεσκεύασε K-W, B.

14 διαλύων (K³, K-W, B): διαλ-
 λάττων K¹ (H-L); lacuna vix quattuor litterarum capax.

ὁ 11, μήτ' αὐξάνειν λίαν μηδὲνὰ παρὰ τὴν
 συμμετρίαν, ἀλλὰ μᾶλλον πειρᾶσθαι. *Rhet.*
 i 4, 1359 ὁ 6. For the general sense,
Pol. viii (v) 10, 1311 a 14, τὸ ἐξ ἄστεος
 ἀπελαύνειν καὶ διοικίζειν ἀμφοτέρων κοινόν,
 καὶ τῆς ὀλιγαρχίας καὶ τῆς τυραννίδος.

διοσπαρμένον κατὰ τὴν χώραν] *Pol.*
 vii (vi) 4, 1319 a 30, διὰ τὸ περὶ τὴν
 ἀγορὰν καὶ τὸ ἄστυ κυλιέσθαι πᾶν τὸ
 τοιοῦτον γένος ὡς εἰπεῖν ῥαδίως ἐκκλη-
 σιάζει. οἱ δὲ γεωργοῦντες διὰ τὸ διε-
 σπάρθαι κατὰ τὴν χώραν οὐτ' ἀπαντῶσιν
 οὐθ' ὁμοίως δέονται τῆς συνόδου ταύτης.
 vi (viii) 5, 1292 ὁ 25, ὅταν μὲν οὖν τὸ
 γεωργικὸν καὶ τὸ κεκτημένον μετρίαν
 οὐσίαν κύριον ᾗ τῆς πολιτείας, πολιτεύονται
 κατὰ νόμους· ἔχουσι γὰρ ἐργαζόμενοι ζῆν,
 οὐ δύνανται δὲ σχολάζειν, ὥστε τὸν
 νόμον ἐπιστήσαντες ἐκκλησιάζουσι τὰς ἀναγ-
 καίας ἐκκλησίας. vii (vi) 4, 1318 ὁ 9,
 βέλτιστος γὰρ δῆμος ὁ γεωργικὸς ἐστίν... διὰ
 μὲν γὰρ τὸ μὴ πολλὴν οὐσίαν ἔχειν
 ἄσχιλος, ὥστε μὴ πολλάκις ἐκκλησιάζειν.
 Diogenes Laert. i 98 says of Periander,
 on the authority of Ephorus and Aristotle,
 οὐκ εἶα ἐν ἄστει ζῆν τοὺς βουλομένους.
 Similarly, in the abstract of Aristotle, by
 Heracleides, οὐκ ἐπιτρέπων ἐν ἄστει ζῆν
 (Rose, *Frag.*³ 611, 20).

Cf. Aelian *V. H.* ix 25; Max. Tyr.
 xxix 3; and Dion Chrys. *Or.* 7 i p. 257 f.
 R., i 520—1 R. (Mayor).

τῶν μετρίων] 27 § 3.

πρὸς τοῖς ἰδίοις ὄντες] See note on
 15 § 5, ἐπὶ τῶν ἰδίων εἶναι.

μήτε σχολάζωσιν] Similarly in *Pol.*
 viii (v) 11, 1313 ὁ 23, the object of the
 Peisistratidae, in beginning the building
 of the Olympieum, was ἀσχολίαν (καὶ
 περιάν) τῶν ἀρχομένων. Cf. *ib.* 19 ff.

§ 4. δεκάτην] Hitherto, the main evi-
 dence for this has been the spurious letter
 of Peisistratus to Solon, Diog. Laert. i 53.
 The present passage supports the view of

Boeckh (iii 6), Arnold (on Thuc. vi 54
 § 5) and Thirlwall (c. xi, p. 72—74),
 that Peisistratus levied a tax of ten per
 cent. Grote demurred to accepting this,
 on the ground of insufficient evidence.
 (It is mentioned in Zenobius iv 76, Man-
 tissa Proverb. i 76, and Proverbiorum
 Appendix, ii 66.) Thuc. l. c., after
 mentioning Hipparchus, says ἐπετήδευσαν
 ἐπὶ πλείστον δὴ τύραννοι οὗτοι ἀρετὴν καὶ
 ξύνεσιν, καὶ Ἀθηναίους εἰκοστὴν μόνον
 πρᾶσσόμενοι κτλ., and the scholars above-
 mentioned accordingly assumed that the
 tax was reduced by the Peisistratidae.
 The text implies that this assumption
 was correct.

§ 5. τοὺς κατὰ δήμους—δικαστὰς]
 The origin of these 'district-judges,' who
 went on circuit through the demes of
 Attica, is here for the first time ascribed
 to Peisistratus. Their number is stated
 as 30 under Pericles (c. 26 § 5). After
 the time of the Thirty Tyrants the number
 was changed to 40, four from each tribe
 (c. 53 § 1).

§ 6. τοιαύτης γὰρ τιнос ἐξόδου κτλ.]
 Zenobius, *Proverb.* cent. iv 76, καὶ σφά-
 κελοὶ ποιοῦσιν ἀτέλειαν (= Suidas *s.v.*
 καὶ σφάκελοι p. 189, *et σφακελισμός*):
 Πεισιστράτος, ὡς φασίν, ὁ τύραννος δεκά-
 τήν τῶν γεωργομένων ἀπῆγει τοὺς Ἀθη-
 ναίους· παρῶν δὲ ποτε, καὶ ἰδὼν πρᾶξάντην
 πέτρας ἐργαζόμενον καὶ τόπους λιθώδεις,
 ἤρετο τὸν πρᾶξάντην, τίνας ἐκ τῶν τόπων
 κομίζοιτο τοὺς καρπούς. ὁ δὲ ἀπεκρίνατο,
 Ὀδύνας καὶ σφακέλους, καὶ τούτων δεκάτην
 Πεισιστράτος φέρει. θαυμάσας δὲ ὁ Πεισι-
 στράτος τὴν παρησίαν αὐτοῦ τῆς δεκάτης
 ἀτέλειαν ἔδωκε καὶ ἐκ τούτου οἱ Ἀθηναῖοι
 τῇ παροιμίᾳ ἐχρήσαντο, Mantissa Pro-
 verb. cent. i 76 (= Apostolius x 80 ed.
 Pontini). Diodorus Sic. ix 57 Bekker,
 ... ὁ ἐργάτης ἔφησε λαμβάνειν ἐκ τοῦ χωρίου
 κακὰς ὁδύνας, ἀλλ' οὐθὲν αὐτῷ μέλειν· τοῦ-

γιγνομένης συμβῆναι φασὶ τὰ περὶ τὸν ἐν τῷ [Ῥμητ]τῷ γεωρ-
 γοῦντα τὸ κληθὲν ὕστερον χωρίον ἀτελές. ἰδὼν γάρ τινα πα[ττά]λῳ
 πέτρας σκάπτοντα καὶ ἐργαζόμενον, [[διὰ τὸ θαυμάσαι]] τὸν πα[ίδα]
 20 ἐκέλευεν [ἐρ]έσθαι τί γίγνεται ἐκ τοῦ χωρίου· ὁ δ', ὅσα κακὰ καὶ
 ὀδύνας, ἔφη, καὶ τούτων τῶν κακῶν καὶ τῶν [ὀ]δυνῶν Πεισίστρατον
 δεῖ λαβεῖν τὴν δε[κά]την. ὁ μὲν οὖν ἄνθρωπος [ἀ]πε[κρί]νατο
 ἀγνοῶν, ὁ δὲ Πεισίστρατος ἥσθεις διὰ τὴν παρρησίαν καὶ τὴν
 φιλεργίαν [ἀ]τελῆ ἀπάντων ἐποίησεν αὐτόν. οὐδὲν δὲ τὸ πλήθος 7
 25 οὐδ' ἐν τοῖς ἄλλοις παρώχλει κατὰ τὴν ἀρχήν, ἀλλ' αἰεὶ π[α]ρε-
 σκευ[ε]άζεν εἰρήνην καὶ ἐ[τ]ήρει τὴν ἡσυχίαν· διὸ καὶ πολλάκις
 ἐθ[ρυ]λλ[εῖ]το, ὡς [ἡ] Πεισιστράτου τυραννὶς ὁ ἐπὶ Κρόν[ου] βίος
 εἴη· συνέβη γὰρ ὕστερον δια[δεξαμένων] τῶν υἱέων πολλῶ
 γενέσθαι τραχυτέραν τὴν ἀρχήν. μέγιστον δὲ πάντων ἦν [τῶν 8
 30 ἐπαινου]μένων τὸ δημοτικὸν εἶναι τῷ ἦθει καὶ φιλάνθρωπον. ἐν
 τε γὰρ τοῖς ἄλλοις προηρεῖτο πάντα διοικεῖν κατὰ τοὺς νόμους,
 οὐδεμίαν ἑαυτῷ πλεονεξίαν διδ[ού]ς, καὶ ποτ[ε] προσκληθεὶς φόνου
 δίκην εἰς Ἀρεῖον πάγ[ον] αὐτὸς μὲν ἀπήντησεν ὡς [ἀπολο]γησό-

17 τὰ: τὸ H-L.

ΥΜΜΗΤΩΙ?

Wessely, B; sed exspectares potius ἐπιμελῶς vel ἐπιπόνως: προσβύτην invita papyro H-L.

19 πέτρας: ΠΕΤΡΑΙΣ?, [ἐν] πέτραις K-W et Wessely. διὰ τὸ θαυμάσαι secl. K-W, 'θαυμάσας scriptum malis' H-L.

παῖδα K-W, H-L, K³, B: πάτταλον K¹,

sed spatium non sufficit.

20 [περὶ]γίγνεται K-W invita papyro.

21 τῶν κακῶν

καὶ τῶν ὀδυνῶν om. H-L; τῶν ante ὀδυνῶν secl. K-W.

23 <αὐτὸν> ἀγροῶν H-L.

25 παρώχλει (K): παρηνώχλει J B Mayor (K-W, H-L, B).

26 ἐτήρει τὴν ἡσυχίαν

(K³, K-W, H-L, B); ἐπηρείας ἡσυχίαν coniecerat Blass.

27 [παρφημιά]το K;

[τοῦτ'] ἐλέ[γ]ετο K-W, [ὑστερον ἐλέγετο] H-L; ἐθρύλησαν Wessely (litteras priores saltem cum papyri indicibus obscuris congruere existimat K); ἐθ[ρυ]λλ[εῖ]το B.

28 δια[δεξα-
 μένων] E Bruhn (B): διὰ τὴν ὕβριν Sidgwick, Gennadios, K-W, H-L, K³.

30 ἐπαι-
 νουμένων J B Mayor, Newman, Bury, K-W, H-L (K³, B).

31 εἰώθει K (H-L);

προηρεῖτο K-W, B.

τῶν γὰρ τὸ μέρος Πεισιστράτῳ διδόναι. ὁ δὲ δυνάστης...γελάσας ἐποίησε τὸ χωρίον ἀτελές, καὶ ἐντεῦθεν ἡ παροιμία 'καὶ σφά-
 κελαι ποιοῦσιν ἀτελείαν.' Procopius in Villosion, *Anecd.* ii 40.

The story has been traced to Demon, the writer of a work on proverbs, who is probably the same as the writer of an *Ἀτθίς*, earlier than Philochorus (Zenob. *Athous* ii 4 quoted by O. Crusius *Anal. ad Paroem.* p. 132 f). But, if this Demon is the same as the nephew of Demosthenes bearing that name, he is later than the date of this treatise.

§ 7. παρώχλει] παροχλέω is found in Theophr. *C. P.* iii 10, 5. παρενοχλέω is less uncommon.

ὁ ἐπὶ Κρόνον βίος] 'the golden age.' [Plat.] *Hipparch.* 229 B (after the death of Hipparchus) τρία ἔτη ἐτυραννεύθησαν

Ἀθηναῖοι ὑπὸ τοῦ ἀδελφοῦ αὐτοῦ Ἰππίου, καὶ πάντων ἂν τῶν παλαιῶν ἤκουσας, ὅτι ταῦτα μόνᾳ τᾷ ἔτη τυραννὶς ἐγένετο ἐν Ἀθήναις, τὸν δ' ἄλλον χρόνον ἐγγύς τι ἔξω Ἀθηναῖοι ὥσπερ ἐπὶ Κρόνου βασιλεύοντος. The same proverbial phrase is applied by Plutarch, *Arist.* 24, to the happy condition of the Athenian allies under the administration of Aristides, and in *Cimon* 10 to the liberality of Cimon (*inf.* c. 27 § 3).

συνέβη—ἀρχήν] c. 15 § 1.

§ 8. δημοτικόν] c. 14 *init.*

καὶ ποτε προσκληθεὶς—ἐλπιεν] *Pol.* viii (v) 12, 1315 ὁ 21, φασὶ δὲ καὶ Πεισίστρατον ὑπομείναι ποτε προσκληθέντα δίκην εἰς Ἀρεῖον πάγον. Plut. *Sol.* 31, ὅς γε καὶ φόνου προσκληθεὶς εἰς Ἀρεῖον πάγον ἤδη τυραννῶν ἀπήντησε κοσμίως ἀπολογησόμενος, ὁ δὲ κατήγορος οὐχ ὑπήκουσε.

9 μενος, ὁ δὲ προσκαλεσάμενος φοβηθεῖς ἔλιπεν. διὸ καὶ πολλὸν
 χρόνον ἔμεινεν <ἐν> [τῇ ἀρχῇ, καὶ] ὅτ' ἐκπέσοι πάλιν ἀνελάμβανε 35
 ῥαδίως. ἐβούλοντο γὰρ καὶ τῶν γνωρίμων καὶ τῶν [δημο]τικῶν
 οἱ πολλοί· τοὺς μὲν γὰρ ταῖς ὁμιλίαις τοὺς δὲ ταῖς εἰς τὰ ἴδια
 βοηθείαις προ[σ]ήγετο, καὶ πρὸς ἀμφοτέρους ἐπεφύκει καλῶς.
 10 ἦσαν δὲ καὶ τοῖς Ἀθηναίοις οἱ περὶ τῶν [τυ]ράνων νόμοι πρᾶοι
 κατ' ἐκείνους τοὺς καιροὺς οἳ τ' ἄλλοι καὶ δὴ καὶ ὁ μάλιστα 40
 καθ[ήκ]ων πρὸς τὴν <κατάστασιν> τῆς τυραννίδος. νόμος γὰρ
 αὐτοῖς ἦν ὅδε· θέσμια τάδε Ἀθηναί[οις] καὶ πάτρια· ἐάν [τιν]ες
 τυραννεῖν ἐπανιστῶ[ν]ται [[ἐπὶ τυραννίδι], ἡ τὴν τυραννίδα τις
 συγκαθιστῇ, ἄτιμο[ν εἶναι καὶ] αὐτὸν καὶ γένος.

17. Πεισίστρατος μὲν οὖν ἐγκατεγήρασε τῇ ἀρχῇ καὶ ἀπ-
 [έθ]ανε νοσήσα[ς ἐπὶ] Φιλόνεω ἄρχοντος, ἀφ' οὗ μὲν κατέστη τὸ

34 ἐξέλιπεν Richards coll. Dinarch. 3, 98 et Plat. *Leg.* 943 A (H-L). 35 ἐν
 ἀρχῇ H-L (K³): ἐν τῇ ἀρχῇ quondam Blass, K-W; cf. 17, 3—4. In papyro χ cerni
 posse putat K et post ἔμεινεν partem inferiorem litterae φ, deinde quinque sexse litte-
 rarum spatium. ἐπελάμβανε (K¹); ἀπελάμβανε Wyse, Gennadios, Ferrini,
 H-L, K³; ἀνελάμβανε K-W (B). 38 ἀμφοτέρας H-L. 39 πρᾶοι (K), cf. v. 5.
 41 καθήκων K (B): ἀνήκων H-L; κα[θεστώς] K-W. ΤΗΝΤΗC: τὰ τῆς H-L. κατάστασιν
 addidit post τυραννίδος K, post τὴν B; lacunam indicant K-W. 42 Ἀθηναίους
 Kontos (B): Ἀθηναί[ων] K etc. ἐστὶ K (H-L): κατὰ τὰ K-W; κ(αί) Blass.
 43 ΗΕΠΙΤΥΡΑΝΝΙΔΙΤΙCΥΝΚΑΘΙCΤΗΤΗΝΤΥΡΑΝΝΙΔΑ: ἡ τὴν τυραννίδα τις συγκαθιστῇ,
 Blass. ἐπὶ τυραννίδι secluserat K (K-W), utpote quondam supra verbum τυραννεῖν
 per formulam usitatiorem interpretandi causa scriptum. ἡ ἐπὶ τυραννίδι τις συγ-
 καθιστῇ συνωμοσίαν, ἄτιμον H-L. ἐπὶ <τιθῆται> τυραννίδι Richards coll. *Pol.* 1108 a
 22, Lycurg. *Leocr.* 125. ἐάν τις ἐπὶ τυραννίδι ἐπανιστῇται ἡ συγκαθιστῇ τὴν τυραννίδα
 Hager. <ἡ> τι<ς> K³: cum in papyro ἡ et τι prorsus similia sint, fortasse
 nihil nisi ἡ legendum suspicatur K; ἡ K-W, B. 44 εἶναι καὶ H-L ('fortasse recte'
 K), B: εἶναι K.

XVII 1 ἐΝΚΑΤΕΓΗΡΑΣΕ (probat Rutherford).

§ 9. διὸ—ἐπεφύκει καλῶς] Cf. the sketch of the best means for maintaining a τυραννὶς in *Pol.* 1314 a 30—1315 b 10.

ὅτ' ἐκπέσοι... ἀνελάμβανε] Optative of indefinite frequency, followed by the impf., as in *Pol.* viii (v) 5, 1305 a 7, ἐπὶ δὲ τῶν ἀρχαίων, ὅτε γένοιτο ὁ αὐτὸς δημαγωγὸς καὶ στρατηγός, εἰς τυραννίδα μετέβαλλον. For ἀνελάμβανε cf. Hdt. iii 73, (τὴν ἀρχὴν) ἀναλαβεῖν.

§ 10. καὶ δὴ καὶ] as often with οἳ τε ἄλλοι preceding; *supra* § 2.

ἐάν τις—καὶ γένος] Andocides, *De Mysterioriis*, § 97, ἐάν τις τυραννεῖν ἐπαναστῇ ἡ τὸν τύραννον συγκαταστήσῃ. In later times such an offence would be met by a καταλύσεως τοῦ δήμου γραφή, and the penalty would be death and confiscation of property. The decree against the orator Antiphon and Archeptolemus (one of the Four Hundred) required them to be put

to death and their property to be confiscated. It also declared each of them to be ἄτιμον...καὶ τὸ γένος τὸ ἐκ τούτου (Pseudo-Plut. *vit. Antiph.* § 28).

Cf. Arist. *Thesm.* 338, εἰ τις...τυραννεῖν ἐπινοεῖ ἡ τὸν τύραννον ξυγκαταγείν, *Vesfr.* 495, 498, 502, *Lys.* 630. The text shews that in Andoc. *l. c.* Dobree's suggestion, <ἐπὶ τῷ> τυραννεῖν, is unnecessary.

XVII § 1. ἐγκατεγήρασε] used metaphorically in Dinarchus, *Aristog.* § 3, ποιηρίαν ἀρχομένην, contrasted with ἐγκαταγεγηρακίαν, 'inveterate.' Plut. *Phocion* 30, πέντιον ἐν ᾧ...ἐγκατεγήρασε. ἐγγηράσκων is similarly used c. dat.

Cf. Thuc. vi 54, 2, Π. γηραιὸν τελευτήσαντος; Val. Max. viii 9 E 2, 'decrepitum.'

Φιλόνεω ἄρχοντος] B. c. 527. The name of the archon of the year is now ascertained for the first time. The date of the death of Peisistratus was known

πρώτον τύραννος, ἔτη τριά[κο]ν[τ]α καὶ τρία βιώσας, ἃ δ' ἐν τῇ
 ἀρχῇ διέμεινεν, ἐνὸς δέοντα εἴκοσι· ἔφ[ευ]εν γὰρ τὰ λοιπά. διὸ 2
 5 καὶ φανερώς ληροῦσιν <οί> φάσκοντες || ἐρώμενον εἶναι Πεισί- [Col. 7.]
 στρατον Σόλωνος καὶ στρατηγεῖν ἐν τῷ πρὸς Μεγαρέας πολέμῳ
 περὶ Σαλαμῖνος· οὐ γὰρ ἐνδέχεται ταῖς ἡλικίαις, ἐάν τις ἀναλογί-
 ζηται τὸν ἐκατέρου βίον καὶ ἐφ' οὗ ἀπέθανεν ἄρχοντας. τελευτή- 3
 σαντος δὲ Πεισιστράτου, κατεῖχον οἱ υἱεῖς τὴν ἀρχήν, προάγοντες
 10 τὰ πράγματα τὸν αὐτὸν τρόπον. ἦσαν δὲ δύο μὲν ἐκ τῆς γαμετῆς,
 Ἴππίας καὶ Ἴππαρχος, δύο δ' ἐκ τῆς Ἀργείας, Ἰοφῶν καὶ Ἥγησί-
 στρατος, ᾧ παρωνύμιον ἦν Θετταλός. ἔγημεν γὰρ Πεισίστρατος ἐξ 4

4 ἔφηνεν J B Mayor, Rutherford, K-W, H-L, K³: εφ.γεν: ἔφηνεν K¹, B.
 5 ΛΗΡΟΥΣΙ: ληροῦσιν οἱ K-W, H-L, Lacon, Hude (K³, B). 7 ΣΑΛΑΜΕΙΝΟΣ.

9 ΠΡΟΑΓΓΟΝΤΕΣ: corr. Rutherford, J B Mayor, Blass, K-W, H-L (K³). 10 <Ἀτ-
 τικῆς> γαμετῆς H-L.

TESTIMONIA. 3 Heraclidis epitoma (Rose, Ar. Frag. 611, 4³) Πεισίστρατος
 λγ ἔτη τυραννέσας γηράσας ἀπέθανεν.

already. He died in the beginning of
 B.C. 527, the latter half of Ol. 63, 1.
 The date is fixed by Ar. Pol., quoted
 below, and by Thuc. vi 59 § 5. The
 former makes the rule of the Peisi-
 stratidae last 18 years; the latter says
 that the battle of Marathon was in the
 20th year after the expulsion of Hippias.
 490 + 18 + 19 = 527 (Clinton, Fasti, ii
 254).

ἔτη τριάκοντα καὶ τρία] Pol. viii (v)
 12, 1315 b 30, ἡ τῶν Πεισιστρατιδῶν
 (ἀρχῇ) Ἀθήνησιν. οὐκ ἐγένετο δὲ συνεχῆς·
 δις γὰρ ἔφυγε Πεισίστρατος τυραννῶν ὥστ'
 ἐν ἔτεσι τριάκοντα καὶ τρισὶν ἑπτα-
 καίδεκα ἔτη τούτων ἐτυράννευσεν, ὀκτωκαί-
 δεκα δὲ οἱ παῖδες, ὥστε τὰ πάντα ἐγένετο
 ἔτη τριάκοντα καὶ πέντε. The passage is
 part of a paragraph regarded as an inter-
 polation by Susemihl, ed. 2 and 3.

ἐνὸς δέοντα εἴκοσι] In Pol. quoted
 above, the rule of Peisistratus is said to
 have lasted 17 years. It has been pro-
 posed to reconcile the two accounts by
 supposing that fractions of a year are in-
 cluded here, and excluded in the Politics.
 See, however, note on 14 § 3.

§ 2. ἐρώμενον] Ael. V. H. viii 16,
 λέγεται γὰρ αὐτοῦ παιδικὰ γενέσθαι.

Μεγαρέας] c. 14 § 1.

ἀπέθανεν] Solon died not long after
 560 B.C. (Plut. Sol. 12); Peisistratus, in
 527.

§ 3. τὸν αὐτὸν τρόπον] Thuc. vi 54
 §§ 4 f. 6.

ἐκ τῆς γαμετῆς] The name is not known.

ἐκ τῆς Ἀργείας] Hdt. v 94, Πεισί-
 στρατος...κρατήσας αὐτοῦ (sc. Σιγείου) κα-
 τέστησε τύραννον εἶναι παῖδα τὸν ἐωυτοῦ
 νόθον Ἥγησίστρατον, γεγονότα ἐξ Ἀργείας
 γυναικός. "Herodotus calls Hegesistratus
 νόθον, because after the middle of the
 fifth century (c. 26 ad fin.) women of
 foreign blood certainly could not occupy
 at Athens the position of a lawful wife:
 the children of a ξένη were both νόθοι and
 ξένοι. The same distinction is present to
 the writer: he contrasts 'the wedded wife'
 of Athenian birth with the 'Argive wo-
 man.' The reading need not be altered.
 Thucydides (vi 55 § 1) seems to include
 Thessalus among the legitimate sons of
 Peisistratus, τῶν γνησίων ἀδελφῶν" (Wyse,
 Class. Rev. v 226 b). In i 20 § 2, after
 stating that Hippias was the eldest son,
 he adds that Hipparchus and Thessalus
 were his brothers. The name of Thes-
 salus was probably given him out of com-
 pliment to the Thessalian allies of the
 house of Peisistratus. The Thessalians
 ineffectually sent 10000 horse to defend
 Hippias shortly before his expulsion
 (Hdt. v 63). Plutarch, Cato major 24,
 calls Thessalus the son of Peisistratus
 and Timonassa, but we now know for the
 first time that this was another name for
 Hegesistratus. As regards the nationality
 of his mother it will be remembered that
 Peisistratus was aided, during his second
 exile, by mercenary troops from Argos
 (Hdt. i 61).

παρωνύμιον] = ἐπωνυμία (c. 45 § 1).

"Αργους ἀνδρὸς Ἀργείου θυγατέρα, ᾧ ὄνομα ἦν Γοργίλος, Τιμόνασσαν, ἣν πρότερον ἔσχεν γυναῖκα Ἀρχίνος ὁ Ἀμπρακιώτης τῶν Κυψελιδῶν· ὅθεν καὶ ἡ πρὸς τοὺς Ἀργεῖους ἐνέστη φιλία, καὶ συνεμα-
 χέσαντο χίλιοι τὴν ἐπὶ Παλληνίδι μάχην Ἡγησιστράτου κομίσαντος. γῆμαι δὲ φασὶ τὴν Ἀργεῖαν οἱ μὲν ἐκπεσόντα τὸ πρῶτον, οἱ δὲ κατέχοντα τὴν ἀρχήν.

18. ἦσαν δὲ κύριοι μὲν τῶν πραγμάτων διὰ τὰ ἀξιώματα καὶ διὰ τὰς ἡλικίας Ἰππαρχος καὶ Ἰππίας, πρεσβύτερος δ' ὢν ὁ

14 ἔσχε H-L. 15 ΕΝΕΣΤΗ: συνέστη H-L.
 detexit J B Mayor (K-W, H-L, K³, B): Πεισιστράτου K¹.
 XVIII 1 ΤΩΝ ΜΕΝ: μὲν τῶν Blass, Richards, edd.

16 Ἡγησιστράτου primus

Plat. *Soph.* 228 c. The adj. παρώνυμος is found in Plat. *Leg.* 757 D, and the corresponding verb in Ar. *Phys.* vii 3, 245 b 11, 28, παρωνυμάζοντες λέγομεν, and *Eth. Eud.* iii 1, 1228 a 35, παρωνυμάζεσθαι = παρωνύμος παρά τι λέγεσθαι. The ordinary form of the adj. in Ar. is παρώνυμος.

§ 4. Ἀρχίνος ὁ Ἀμπρακιώτης τῶν Κυψελιδῶν] Cypselus (tyrant of Corinth for 30 years from B.C. 658 or 655) was succeeded by his son Periander. Among the contemporaries of the latter was another Periander, son of Gorgus, who was either a son or a brother of Cypselus. This second Periander was a tyrant of Ambracia. The establishment of a branch of the Cypselidae in Ambracia was in accordance with the ambitious policy of that dynasty. They attempted to occupy the coast of the Ionian sea as far as Illyria (Müller, *Dor.* i 8 § 3). Periander was deposed probably after the death of the Corinthian tyrant of the same name (B.C. 585). *Pol.* viii (v) 10, 1311 a 39, Περιάνδρῳ τῷ ἐν Ἀμβρακίᾳ τυράννῳ, and 4, 1304 a 31, ἐν Ἀμβρακίᾳ ... Περιάνδρον συνεκβαλὼν τοῖς ἐπιθεμένοις ὁ δῆμος τὸν τύραννον εἰς ἑαυτὸν περιέστησε τὴν πολιτείαν. Ambracia was colonised in the reign of Cypselus (Strabo, p. 452) either by that tyrant's brother, Torgus, or his son Gorgus. Strabo, p. 328, describes Ambracia as Τόλγου (sic) τοῦ Κυψέλου κτίσμα (Clinton's *Fasti*, sub anno 612 B.C.). In the *Politics* the affair of Harmodius and Aristogeiton is mentioned just before the fall of the Ambracian tyrant, Periander: here it is narrated shortly after a reference to another member of the Ambracian branch of the Cypselidae.—On Ambracia see Duncker, *H. G.* ii 353 E.T.

ἐπὶ Παλληνίδι] 15 § 3.

ἐκπεσόντα...κατέχοντα.] If Peisistratus married Timonassa on his first usurpation of the government in 560 B.C., Hegesistratus may have been either 21, 23, 24 or 26 years of age at the battle of Pallene according as we place that event in 539 (Bauer), 536 (Reinach), 535 (Kenyon) or 533 (Poland). If he married her on his first expulsion, the son may have been four years younger (17 to 22) in the year of the battle. The latter view seems preferable, as his marriage with the 'Argive woman' is more likely to have taken place, when it was to his interest to secure the aid of Argos, than on his first usurpation, when her presence in the palace would not have ingratiated him with his Athenian subjects or with his wedded wife. The beginning of the second tyranny, four to six years later, is out of the question, partly because Peisistratus was then in alliance with Megacles, while Timonassa was probably no longer alive; and partly because this would make the son 15 at the most on the occasion of the battle.

Within about eight years of this time Hegesistratus was old enough to be placed in charge of Sigeum (*Hdt.* v 94). He was 'much younger' than Hipparchus (c. 18 § 2). Hipparchus, again, was younger than Hippias, and Hippias was an old man in B.C. 490 (*Thuc.* vi 59 § 5). If Hippias was more than 70 in 490, he was born before 560. Hippias and Hipparchus were already 'young men' (*Hdt.* i 61) when their father married the daughter of Megacles, either 8, 9 or 11 years after 560. All these considerations are in favour of placing the marriage at the time of the first exile.

XVIII. Harmodius and Aristogeiton.

§ 1. πρεσβύτερος—ὁ Ἰππίας] *Thuc.* i

Ἰππίας καὶ τῇ φύσει πολιτικός καὶ ἔμφρων ἐπεστάτει τῆς ἀρχῆς. ὁ δὲ Ἰππαρχος παιδιώδης καὶ ἐρωτικός καὶ φιλόμουςος ἦν, καὶ τοὺς περὶ Ἀνακρέοντα καὶ Σιμωνίδην καὶ τοὺς ἄλλους ποιητὰς οὗτος ἦν ὁ μεταπεμπόμενος· Θετταλὸς δὲ νεώτερος πολὺ καὶ τῷ βίῳ θρασὺς καὶ ὑβριστής. ἀφ' οὗ καὶ συνέβη τὴν ἀρχὴν

6—7 Θετταλὸς—ὑβριστῆς delet Herwerden: defendit Heraclides infra laudatus.

TESTIMONIA. 4—7 Heraclidis epitoma (Rose, Ar. Frag. 611, 4³) Ἰππαρχος ὁ υἱὸς Πεισιστράτου παιδιώδης ἦν καὶ ἐρωτικός καὶ φιλόμουςος, Θεσσαλὸς δὲ νεώτερος καὶ θρασὺς. τοῦτον τυραννοῦντα μὴ δυνηθέντες ἀνελεῖν Ἰππαρχον ἀπέκτειναν τὸν ἀδελφὸν αὐτοῦ.

20, 2, Ἀθηναίων γοῦν τὸ πλῆθος Ἰππαρχον οἰοῦνται ὑφ' Ἀρμόδιον καὶ Ἀριστογέιτονος τύραννον ὄντα ἀποθανεῖν, καὶ οὐκ ἴσασιν ὅτι Ἰππίας μὲν πρεσβύτατος ὢν ἤρχε τῶν Πεισιστράτου υἱῶν, Ἰππαρχος δὲ καὶ Θεσσαλὸς ἀδελφοὶ ἦσαν αὐτοῦ, and vi 54 § 2; 55 §§ 1, 2.

In [Plato], *Hipparchus*, 228 B, Hipparchus is wrongly described as the eldest son.

φιλόμουςος] Hipparchus is said to have set up in the demes of Attica Hermae inscribed with verses. *Hipparch.* 229 A, μῆμα τόδ' Ἰππάρχου· στείχε δίκαια φρονῶν... ἐστὶ δὲ τῶν ποιημάτων καὶ ἄλλα ἐν ἄλλοις Ἑρμαῖς πολλὰ καὶ καλὰ ἐπιγεγραμμένα. The Homeric recitations introduced by Peisistratus at the Panathenaea were improved in certain respects by Hipparchus (*ib.* 228 B, Aelian, *V. H.* viii 2).

τοὺς περὶ] 'Formula οἱ περὶ τινα... intertum ita usurpatur, ut ab ipso personae nomine non multum differat, οἱ περὶ Ἐμπεδοκλέα καὶ Δημόκριτον *de Caelo* ii 7, 305 b 1 (cf. Ἐμπεδοκλῆς καὶ Δημόκριτος 305 a 34). οἱ περὶ Ἰπποκράτην *Meteor.* i 6, 342 b 35 (cf. Ἰπποκράτης 343 a 28). ἡ τῶν περὶ Γέλωνα τυραννὶς καὶ τῶν ἡ τῶν περὶ τὸν Διονύσιον, ἡ μὲν Γέλωνος *Pol.* v 10, 1312 b 10. Cf. *de Gener. et Corrupt.* 314 a 25, *Pol.* v 6, 1305 b 26', *Index Aristotelicus*. In such cases the proper name has no article (Eucken, *Sprachgebrauch, Praef.* p. 66).

Ἀνακρέοντα καὶ Σιμωνίδην] *Hipparch.* 228 C, (Hipparchus) ἐπ' Ἀνακρέοντα τὸν Τῆτιον πεντηκόντορον στείλας ἐκόμισεν εἰς τὴν πόλιν· Σιμωνίδην δὲ τὸν Κεῖον ἀεὶ περὶ αὐτὸν εἶχε, μεγάλοις μισθοῖς καὶ δώροις πείθων.

Simonides (born 556 B.C.) was 29 years of age on the death of Peisistratus in 527. It was probably after the expulsion of the Peisistratidae that he wrote the epitaph on Archedice, daughter of Hippias, quoted in Thuc. vi 59. Cf. Plat. *Protag.*

346 B. He also celebrated the death of his patron Hipparchus (ἡ μέγ' Ἀθηναῖοις φῶς γένεθ' ἦνικ' Ἀριστο-γέιτων Ἰππαρχον κτεῖνε καὶ Ἀρμόδιος, 134 Bergk). After spending some years at the court of the Aleuadae in Thessaly, he returned to Athens and there commemorated in verse some of the great events of the Persian wars. See also Freeman's *Sicily*, ii 258—264.

There is no evidence of intimate relations between Simonides and Anacreon, unless we ascribe to Simonides the epitaphs on Anacreon in *Anthol. Pal.* vii 24, 25, which are assigned with greater probability to a later poet, Leonidas.

Anacreon lived for many years at the court of Polycrates of Samos (*Hdt.* iii 121, Strabo, xiv 638), who was put to death in 522. The death of his patron and the unpopular rule of his successor would prompt him to accept the invitation of Hipparchus. At Athens he made the acquaintance of various members of noble families, such as Critias, son of Dropides (Plat. *Charmides*, 157 E) and Xanthippus, afterwards the victor of Mycale and the father of Pericles. On the death of Hipparchus, he probably went (like Simonides) to the court of the Aleuadae.

τοὺς ἄλλους ποιητὰς] e.g. the founder of the Athenian school of Dithyrambic poetry, and the teacher of Pindar, Lasus of Hermione, one of the rivals of Simonides (Aristoph. *Vesp.* 1410 Schol.). His detection of the forgeries of Onomacritus led to the banishment of the latter by Hipparchus (*Hdt.* vii 6).

§ 2. **Θετταλὸς**] Diodorus Sic., x 16, 1, gives him a character for wisdom: ἀρείπατο τὴν τυραννίδα.

ἀφ' οὗ] Whether οὗ is neuter or (more probably) masculine, it is clear that the troubles of the Peisistratidae are here ascribed to the ὕβρις of Thessalus, who is naturally the subject of the next sentence

αὐτοῖς γενέσθαι πάντων τῶν κακῶν. ἐρασθεῖς γὰρ τοῦ Ἀρμόδιου καὶ διαμαρτάνων τῆς πρὸς αὐτὸν φιλίας, οὐ κατέειχε τὴν ὀργήν, ἀλλ' ἐν τε τοῖς ἄλλοις ἐνεσημαίνετο πικ[ρ]ῶς, καὶ τὸ τελευταῖον 10 μέλλουσιν αὐτοῦ τὴν ἀδελφὴν κανηφορεῖν Παναθηναίους ἐ[κώ]λυσεν, λοιδορήσας τι τὸν Ἀρμόδιον ὡς μαλακὸν ὄντα, ὅθεν συνέβη παροξυνθέντα τὸν Ἀρμόδιον καὶ τὸν Ἀριστογείτονα πράττειν τὴν 3 πρᾶξιν μετεχόντων πολλῶν. ἤδη δὲ [παρατη]ροῦντες ἐν ἀκροπόλει

10 πικρῶς K-W (K³, B); ἐνεσήμαινε τὸ πικρὸν K¹, ἐνεσημαίνετο τὸ πικρὸν Richards (H-L). 13 παροξυνθέντας H-L, sed 'spatium deest.' 14 μετεχόντων πολλῶν

'satis clare legitur' Blass: μετὰ πολιτῶν πολλῶν K; μετὰ πολιτῶν οὐ πολλῶν Gennadios; μετὰ συνει<δὲ>των <οὐ> πολλῶν J B Mayor (K-W); μετὰ συνωμοτῶν οὐ πολλῶν Thompson; μετ' ὀλίγων ἄλλων Richards; μετ' [ἄλλων οὐ] πολλῶν H-L.

ἐρασθεῖς γὰρ κτλ. This is so completely at variance with the account in Thucydides that Mr Kenyon in his first ed. felt constrained to throw the description of Thessalus into a parenthesis. But the writer does not hesitate to disagree with Thucydides in several of his details, and he may have deliberately disagreed with him in this important point. It does not follow that Thucydides is wrong. The whole of the episode on Harmodius and Aristogeiton is apparently written with extreme care to refute a popular error. It must also be remembered that (according to Hermippus, in Marcellinus, *Vit. Thuc.* p. ix, and Schol. on i 20) the historian was related to the Peisistratidae. Cf. vi 55 § 1, εἰδὼς...καὶ ἀκοῇ ἀκριβέστερον ἄλλων. On the other hand, the writer of this treatise shews in the latter part of c. 17 that he knows more than Thucydides about Thessalus, and Thucydides himself tacitly corrects in book i 20 some of the details in the account in book vi (Weil, *Journal des Savants*, avril 1891).

ἐρασθεῖς τοῦ Ἀρμόδιου] This is reported of Hipparchus by Diod. Sic. x 16 § 2, Plut. *Amator.* 16 § 27, p. 760, Athen. p. 602 A (Mayor).

ἐνεσημαίνετο πικρῶς] On the other hand, Thuc. (vi 54 § 4), with greater partiality towards the Peisistratidae, says of Hipparchus, βίαιον μὲν οὐδὲν ἐβούλετο δρᾶν. For ἐνεσημαίνεσθαι, cf. Isocr. 20 § 22, ἐνεσημαίνεσθε...τὴν ὀργήν.

μέλλουσιν—ἐκώλυσεν] Thuc. vi 56 § 1, ἀδελφὴν γὰρ αὐτοῦ κόρην, ἐπαγγέλλαντες ἤκειν κανοῦν οἴσουσαν ἐν πομπῇ τινί, ἀπῆλθασαν, λέγοντες οὐδὲ ἐπαγγέλλαι τὴν ἀρχὴν διὰ τὸ μὴ ἀξίαν εἶναι. Ar. *Pol.* viii (v) 10, 1311² 36, (the rule of the Peisistratidae was attacked) διὰ τὸ προσηλακίσαι μὲν τὴν Ἀρμόδιου ἀδελφὴν ἐπηρεάσαι δ' Ἀρμόδιον (ὁ μὲν γὰρ Ἀρμόδιος

διὰ τὴν ἀδελφὴν, ὁ δὲ Ἀριστογείτων διὰ τὸν Ἀρμόδιον). The text connects this incident with the approaching Panathenaic festival, at which Hipparchus was put to death. The Panathenaea are mentioned in connexion with the sister of Harmodius by Aelian *V. H.* xi 8, and Max. Tyr. 24, 2. The year was B.C. 514.

On κανηφορεῖν, cf. Aristoph. *Eccl.* 732, *An.* 1551, and Harpocr. s. v. κανηφοροῖ...Φιλόχορος ἐν β' Ἀθίδος φησὶν ὡς Ἐριχθονίου βασιλεύοντος πρῶτον κατέστησαν αἱ ἐν ἀξιώματι παρθένοι φέρειν τὰ κανὰ τῇ θεῷ, ἐφ' οἷς ἐπέκειτο τὰ πρὸς τὴν θυσίαν, τοῖς τε Παναθηναίοις καὶ ταῖς ἄλλαις πομπαῖς (for other authorities, see Michaelis, *Parthenon*, p. 329 f.). The Panathenaea had been revived by Peisistratus, but even in 566 B.C., six years before his first usurpation, it was attended by a large concourse in consequence of the institution of gymnastic contests at that date (Marcellinus, *Vit. Thuc.* i). The Scholiast on Aristides, iii 323 Dind., says of the great Panathenaea, Πεισίστρατος ἐποίησε.

μαλακὸν] 'effeminate,' opp. to καρτερικός in *Eth.* 1147 b 23, 1150 a 14, 33; *Eth. Eud.* 1229 b 7, πρὸς τὸν θάνατον μαλακὸς ἢ περίφοβος. Cf. c. 3 l. 7.

μετεχόντων πολλῶν] This contradicts Thuc. vi 56 § 3, ἦσαν δὲ οὐ πολλοὶ οἱ ξυνομωμοκότες ἀσφαλείας ἕνεκα.

§ 3. ἐν ἀκροπόλει] Thucydides (vi 57 § 1) describes Hipparchus as marshalling the procession outside Athens in the (outer) Cerameicus, and adds that, on noticing one of the conspirators conversing with him, Harmodius and Aristogeiton, fearing that the plot was discovered, rushed *within the gates* (εἰσω τῶν πυλῶν), found Hipparchus near the Leocorium and stabbed him to death. Hipparchus, meanwhile, had remained outside the

15 τοῖς Παναθηναίοις Ἰππίαν (ἐτύγχανεν γὰρ οὗτος μὲν [δ]εχόμενος, ὁ δ' Ἰππαρχος ἀποστέλλων τὴν πομπήν), ἰδόντες τινὰ τῶν κοινω-
 ούντων τῆς πρά[ξ]εως φιλανθρώπως ἐντυγχάνουσα τῷ Ἰππία, καὶ
 νομίσαντες μηνύειν, βουλόμενοί τι δρᾶσαι πρὸ τῆς συλλήψεως,
 καταβάντες καὶ προεξαναστάντες τῶν [λοιπῶν], τὸν μὲν Ἰππαρχον
 20 διακ[οσ]μοῦντα τὴν πομπήν παρὰ τὸ Λεωκόρειον ἀπέκτειναν,
 [τὴν δ' ὅ]λην ἐλυμήναντο πρᾶξιν. αὐτῶν δ' ὁ μὲν Ἀρμόδιος εὐθέως 4
 ἐτελεύτησεν ὑπὸ τῶν δ[ορυφό]ρων, ὁ δ' Ἀριστο[γε]ῖτων ὕστερον
 συλληφθεὶς καὶ πολὺν χρόνον αἰκισθεὶς. κατηγόρησεν δ' ἐν
 [τ]αῖς ἀνάγκαις πολλῶν οἳ καὶ [τῇ] φύσει τῶν ἐπιφανῶν καὶ φίλοι
 25 τοῖς τυράννοις ἦσαν. οὐ [γὰρ] ἐδύναντο παραχρῆμα λαβεῖν οὐδὲν
 ἱχνος τῆς πράξεως, ἀλλ' ὁ λεγόμενος λόγος ὡς ὁ Ἰππίας ἀποστήσας

15 μὲν δεχόμενος K-W, H-L (K³, B); μετερχόμενος K¹. 19 λοιπῶν B; ἄλλων K,
 K-W², H-L; ἐτέρων K-W¹. 20 παρὰ: περί H-L. 21 τὴν δ' K-W (K³, B); [τὴν
 μὲν οὖν] K¹; ᾧ τὴν H-L. δ': γὰρ invita papyro K-W.

gates, and it was there that he disarmed the citizens. The text describes H and A as waiting for Hippias on the Acropolis. On observing some one conversing with Hippias, they descend (καταβάντες) and slay Hipparchus near the Leocorium. The two accounts are impossible to reconcile. In more than one point our author deliberately differs from the historian (*inf.* § 4).

ἰδόντες—συλλήψεως Thuc. vi 57 § 3, ὡς εἶδον τινα τῶν ξυνωμοτῶν σφίσι διαλεγόμενον οἰκείως τῷ Ἰππία... ἐδεισαν καὶ ἐνόμισαν μεμνησθῆναι τε καὶ ὅσον οὐκ ἤδη συλληφθῆσθαι. πρὸ τῆς συλλήψεως confirms Thuc. i 21, πρὶν συλληφθῆναι, suspected by Cobet.

προεξαναστάντες τῶν λοιπῶν 'having begun the attack without waiting for their confederates.'

Ἰππαρχον διακοσμοῦντα τὴν πομπήν Thuc. i 21 § 3, τῷ Ἰππάρχῳ περιτυχόντες περὶ τὸ Λεωκόριον καλούμενον τὴν Παναθηναϊκὴν πομπὴν διακοσμοῦντι ἀπέκτειναν. In vi 57, the historian mentions Hippias alone as marshalling the procession outside the gates: (Harm. and Ar.) περιέτυχον τῷ Ἰππάρχῳ παρὰ τὸ Λεωκόριον καλούμενον.

τὸ Λεωκόρειον The monument of the three daughters of Leos who, at the command of an oracle, sacrificed themselves for their country, [Dem.] 60 § 29, Cic. *Nat. Deor.* iii 50. Harpocration places it in the midst of the (inner) Cerameicus. It is mentioned in connexion with the ἀγορά in Dem. 54 § 7. Cf. Wachsmuth, *Stadt Athen*, ii 417,

and Judeich in *Fleckeis. Jahrb.* 1890, p. 756.

§ 4. **πολὺν χρόνον αἰκισθεὶς** Thuc. vi 57 § 3, οὐ βραδίως διετέθη.

κατηγόρησεν—ἦσαν The story is told of Aristogeiton and Hippias by Seneca, *de Ira*, ii 23, and Justin. ii 9 §§ 1—6. Cf. Diod. Sic. x 16 §§ 3, 4. The like story is told of Zeno of Elea, Cic. *Tusc.* ii 52, Val. Max. iii 3 E § 1 (where the tyrant is Phalaris, as in Heraclides Ponticus in Athen. 652 B), Diog. Laert. ix 26, 27, Plut. i 505 D (Mayor). Polyaeus i 22, Ἀριστογείτων, ὑπὸ τῶν δορυφόρων στρεβλούμενος περὶ τῶν συνειδῶτων, τῶν μὲν συνειδῶτων ὡμολόγησεν οὐδένα, πάντας δὲ τοὺς Ἰππίου φίλους κοινωῆσαι τῆς ἐπιθέσεως· ὅποτε δὲ τοὺτους Ἰππίας ἀπέκτεινε, τότε ὁ Ἀριστογείτων ὠνεΐδισεν αὐτῷ τὸ στρατήγημα τῶν φίλων.

ταῖς ἀνάγκαις Hdt. i 116, Ἀστυνάγης δὲ μιν οὐκ εὖ βουλευσῆσθαι ἔφη ἐπιθυμούντα ἐς ἀνάγκας μεγάλας ἀπικνέεσθαι, ἅμα τε λέγων ταῦτα ἐσήμαινε τοῖσι δορυφόροισι λαμβάνειν αὐτόν. ὁ δὲ ἀγόμενος ἐς τὰς ἀνάγκας οὕτω δὴ ἔφαυε τὸν ἐόντα λόγον. Antiphon, *de Chor.* 25. Thuc. i 99 § 1, προσάγοντες τὰς ἀνάγκας.

φύσει 'in birth', as in c. 5 § 3. **ἱχνος** met. as in Antiphon, *Tetral.* A γ 10, φανερώς δὲ τὰ ἱχνη τῆς ὑποψίας εἰς τοῦτον φέροντα, and A δ 10, τὰ ἱχνη τοῦ φόβου. Ar. *Hist. An.* 8, 588 a 33, ἐν τοῖς παισὶ τῶν ὕστερον ἔξεων ἐσομένων ἔστιν ἰδεῖν ὅλον ἱχνη καὶ σπέρματα, a 19; 9, 608 b 4.

ὁ λεγόμενος λόγος Thuc. vi 58, (Hippias) ἐκέλευσεν αὐτοὺς, δείξας τι χωρίον,

ἀπὸ τῶν ὅπλων τοὺς πομπεύοντας ἐφώρασεν τοὺς τὰ ἐγχειρίδια
 ἔχοντας οὐκ ἀληθῆς ἐστίν· οὐ γὰρ ἔπεμπον τό<τε> μεθ' ὅπλων,
 5 ἀλλ' ὕστερον τοῦτο κατεσκεύασεν ὁ δῆμος. κατηγόρει δὲ τῶν τοῦ
 τυράννου φίλων, ὡς μὲν οἱ δημοτικοὶ φασιν, ἐπίτηδες ἵνα ἀσεβή- 30
 σαιεν ἅμα καὶ γένοιτο ἀσθενεῖς ἀνελόντες τοὺς ἀναιτίους καὶ
 φίλους ἑαυτῶν, ὡς δ' ἔνιοι λέγουσιν, οὐχὶ πλαττόμενος ἀλλὰ τοὺς
 6 συνειδότας ἐμήνυνεν. καὶ τέλος ὡς οὐκ ἐδύνατο πάντα ποιῶν ἀπο-
 θανεῖν, ἐπαγγεिलाμένος ὡς ἄλλους μηνύσων πολλούς, καὶ πείσας
 αὐτῷ τὸν Ἰππῖαν δοῦναι τὴν δεξιὰν πίστewς χάριν, ὡς ἔλαβεν 35
 ὀνειδίσας ὅτι τῷ φονεῖ τοῦ ἀδελφοῦ τὴν δεξιὰν δέδωκεν, οὕτω παρώ-
 ξυνε τὸν Ἰππῖαν ὥσθ' ὑπὸ τῆς ὀργῆς οὐ κατεῖχεν ἑαυτὸν ἀλλὰ
 σπασάμενος τὴν μάχαιραν διέφθειρεν αὐτόν.

19. μετὰ δὲ ταῦτα συνέβαινε πολλῷ τραχυτέραν εἶναι τὴν
 τυραννίδα· καὶ γὰρ διὰ τὸ τιμωρεῖν τῷ ἀδελφῷ καὶ διὰ τὸ πολλοὺς

27 ΕΦΩΡΑΣΕΝ B: -σε K *etc.* 28 ΑΛΗΘΕΣ. ΕΠΕΜΠΟΝΤΟ: ἔπεμπον
 τό<τε> correxi cum H-L, K-W, *etc.* (K³); ἔπεμπον πω Papabasilieos (B). 31 -σαιεν
 H-L. ΑΣΘΕΝΕΙΣ, litteris CΘΕΝ obscure scriptis, super ἀνελόντες additum (K³, K-W,
 B); ἀγενεῖς K¹, ἐναγεῖς H-L, *etc.* 33 ἐδύνατο H-L: ΗΔΥΝΑΤΟ (K, K-W, B),
 quod in titulis non nisi post annum 300 A.C. invenitur, Meisterhans, p. 134².
 35 αὐτῷ H-L. 36 ΤΑΔΕΛΦΟΥ (retinent K-W, B). ΔΕΔΩΚΕ (K, K-W, H-L, B).
 37 ΚΑΤΕΣΧΕΝ correctum in -ΕΙΧΕΝ.
 XIX 2 ΤΙΜΩΡΕΙΝ τιμωρῶν K-W. ΤΑΔΕΛΦΩΙ (K-W, B). καὶ διὰ τὸ secl.
 K-W.

ἀπελθεῖν ἐς αὐτὸ ἀνευ τῶν ὅπλων. καὶ οἱ
 μὲν ἀνεχώρησαν οἰόμενοι τι εἶρην αὐτόν, ὁ
 δὲ τοῖς ἐπικούροις φράσας τὰ ὅπλα ὑπολα-
 βεῖν ἐξελέγετο εὐθὺς οὓς ἐπητῖατο καὶ εἴ τις
 εὐρέθῃ ἐγχειρίδιον ἔχων· μετὰ γὰρ ἀσπίδος
 καὶ δόρατος εἰώθεσαν τὰς πομπὰς ποιεῖν.
 The conspirators purposely selected the
 festival of the Panathenaea (about Aug.
 13), ἐν ᾗ μόνον ἡμέρα οὐχ ὑποπτον ἐγίγνετο
 ἐν ὅπλοις τοὺς τὴν πομπὴν πέμψοντας ἀνθρώ-
 οους γενέσθαι. (The passage in Lysias 13 §
 80, συνηκολούθει γὰρ λαβὼν τὰ ὅπλα καὶ
 συνέπεμπε τὴν πομπὴν μετὰ τῶν πολιτῶν
 πρὸς τὸ ἄστυ, quoted in Michaelis, *Par-
 thenon*, 332, does not refer to the *Pana-
 thenaea*, but to the festal procession on
 the restoration of the democracy, on Sept.
 21, 403.) The statement in the text is
 intended as a deliberate correction of the
 account in Thucydides, but we have now
 no means of ascertaining the ultimate
 authority for the correction. The first line
 of the famous scholium of Callistratus (pro-
 bably written not long after the Persian
 war), implies that Harmodius and Aristo-
 geiton concealed their daggers in branches

of myrtle (ἐν μύρτου κλαδί τὸ ξίφος φορή-
 σω), but says nothing about spear or shield.

§ 5. ἀσεβήσαιεν indicates the conse-
 quence of their destroying the innocent;
 γένοιτο ἀσθενεῖς, that of their destroying
 their own friends.

§ 6. πάντα ποιῶν [Lys.] 8 § 5, ἐφά-
 σκετο... πάντα ποιοῦντες οὐκ ἔχιν ὅπως
 ἀπαλλαγῇτέ μου. Lys. 12 § 84, πάντα
 ποιοῦντες δίκην παρ' αὐτῶν οὐκ ἂν δύνασθε
 λαβεῖν. Dem. 21 § 2, πάντα ποιοῦντος
 τούτου (ὁ δῆμος) οὐκ ἐπέσθη.

ὀνειδίσας] Cf. Polyæn. quoted on § 4.
 'The narrative of the end of Aristogiton
 betrays the same liking for sensational
 stories as we trace, for instance, in Phy-
 larchus' (W. L. Newman in *Class. Rev.*
 v 161 b).

XIX. *Hippias*. § 1. τραχυτέραν] Hdt.
 v 62 (of Hippias), ἐμπικρανομένου Ἀθηναί-
 οισι διὰ τὸν Ἰππάρχου θάνατον. Thuc. vi
 59 § 1, τοῖς δ' Ἀθηναίοις χαλεπωτέρα μετὰ
 τοῦτο ἡ τυραννὶς κατέστη, καὶ ὁ Ἰππίας διὰ
 φόβου ἤδη μᾶλλον ὢν τῶν τε πολιτῶν
 πολλοὺς ἔκτεινε κτλ.

ἀνηρηκέναι καὶ ἐκβεβληκέναι πᾶσιν ἢν ἄπιστος καὶ πικρός. ἔτει 2
δὲ τετάρτῳ μάλιστα μετὰ τὸν Ἰππάρχου θάνατον, ἐπεὶ κακῶς
5 εἶχεν τὰ ἐν τῷ ἄστει, τὴν Μουνιχίαν ἐπεχείρησε τειχίζειν, ὥς
ἐκείσε μεθιδρυσόμενος. ἐν τούτοις δ' ὦν ἐξέπεσεν ὑπὸ Κλεομένους
τοῦ Λακεδαιμονίων βασιλέως, χρησμῶν γιγνομένων αἰὲ τοῖς Λάκωσι
καταλύνει τὴν τυραννίδα διὰ τοιάνδ' α[ιτίαν]. οἱ φυγάδες, ὧν οἱ 3
'Αλκμειωνίδαι προειστήκεσαν, αὐτοὶ μὲν δι' αὐτῶν οὐκ ἐδύναντο
10 ποιήσασθαι τὴν κάθοδον, ἀλλ' αἰὲ προσέπταιον· || ἔν τε γὰρ τοῖς [Col. 8.]
ἄλλοις οἷς ἔπραττον διεσφάλλοντο, καὶ τειχίσαντες ἐν τῇ χώρᾳ
Λειψύδριον τὸ ὑπὲρ Πάρνηθος, εἰς δ' συνεξήλθον τινες τῶν ἐκ τοῦ

3 Π·C·T·O: πικρός K etc. 4 κακῶς: ΕΝΚΑΚΩΙ, postea correctum. 5 εἶχε H·L.
τῷ a correctore additum abesse propter numeros mavult Blass. ΜΟΥΝΥΧΙΑΝ
passim: Μουνιχίαν K·W, H·L (K³, B), cf. Meisterhans, p. 23². 6 ἐκείσε J B Mayor,
Sidgwick (H·L, B): ΕΚΕΙ K, K·W. 7 Λακεδαίμονος K¹, K·W¹. ΓΙΝ (K·W).
ΔΕΙ (edd.). 9 ἐδύναντο K, H·L: ΗΔΥΝΑΝΤΟ (K·W, B); cf. 18, 33. 10 ΔΙΕΙ
(K, K·W, B); cf. 5, 19. 12, 15 ΛΙΨΥΔΡΙΟΝ, idem habet Suidae cod. Mediceus.
ΥΠΕΡ: ὑπὸ? J H Wright, in Herodoto ὑπὲρ Παιονίης ὑπὸ Πάρνηθος scriptum fuisse
arbitratus.

TESTIM. 3 πικρός. Heraclidis epitoma (611, 4³) Ἰππίας δὲ πικρότατα ἐτυράννει.
8—18 Etym. M. p. 361, 32 Gaisf. (=Suidas, Eustath.) ἐπὶ Λειψυδρίῳ μάχη:
χωρίον ἦν ὑπὸ τῆς Πάρνηθος δ' ἐτείχισαν οἱ φυγάδες τῶν τυράννων ὧν οἱ Ἀλκμαι-
ωνίδαι προεστήκεσαν. ἐκπολιορκηθέντων δ' αὐτῶν ὑπὸ τῶν περὶ Πειρίστρατον,
σκόδιον εἰς αὐτοὺς ᾗδετο “αἰαί—εὐπατρίδας,” οἱ τότε” (Etym. M. ed. Gaisf.; idem habent
Athen. 695 et Suidas; ὁπότ’ Etym. M. codex Dorvillii Bodleianus, et Apostolius vii
70) ἐδείξαν οἷων πατέρων ἔσαν. Cf. Rose, Frag. 356², 394³.

12 *Schol. Arist. Lys. 666: Λειψύδριον: χωρίον τῆς Ἀττικῆς περὶ τὴν Πάρνηθον
(ita codex Ravennas, τὸ ὑπὲρ Πάρνηθος Suid., ὑπὸ τὴν Πάρνηθον Et. M.), εἰς δ'
συνῆλθον τινες (cod. L et Suidas) τῶν ἐκ τοῦ ἄστεος, ὥς φησιν Ἀρ. ἐν Ἀθ. πολ.
Ib. 665... (οἱ Ἀλκμαιωνίδαι) πόλεμον ἀράμενοι πρὸς Ἰππίαν τὸν τύραννον καὶ τοὺς
Πεισιστρατίδας ἐτείχισαν τὸ Λειψύδριον. Hesych. Λειψύδριον: χωρίον τι ὑπὲρ Πάρ-
νηθος δ' ἐτείχισαν Ἀλκμαιωνίδαι. Cf. Rose, l.c.

πικρός] Hdt. l. c., ἐμπικρανομένου.

§ 2. ἔτει—τετάρτῳ] B.C. 511/O.

τὴν Μουνιχίαν—τειχίζειν] Plut. Sol.
12, λέγεται δὲ (Epimenides) τὴν Μουνιχίαν
ιδῶν καὶ καταμαθὼν πολὺν χρόνον εἰπεῖν
πρὸς τοὺς παρόντας, ὥς τυφλὸν ἐστὶ τοῦ
μέλλοντος ἀνθρώπου· ἐκφαγεῖν γὰρ ἂν Ἀθη-
ναίους τοῖς αὐτῶν ὁδοῦσιν, εἰ προῆδσαν, ὅσα
τὴν πόλιν ἀνιάσει τὸ χωρίον (Diog. Laert.
i 114). The height of Munichia, which
commanded the harbours of Munichia
and Zea, is 255 Paris feet above the sea,
whereas the highest part of the Peiraeus
is only 191. It was an important point
in the fortification of the harbours, insti-
tuted by Themistocles; and its import-
ance is also shewn by the fact that in 411
B.C. we read of the commander τῶν περι-
πόλων τῶν Μουνιχίας τεταγμένων (Thuc.
viii 92, 3); it was fortified by Thrasybulus
in 403 (Xen. Hell. ii 4, 11—12; Diodor.
Sic. xiv 33, M. λόφον ἔρημον καὶ καρ-
τερόν). In the time of Alexander (325/4)
one of the στρατηγοὶ was specially ap-

pointed to guard this point (c. 61 § 1).
In 322 it was occupied by a Macedonian
garrison (Plut. Phocion 27, 28; Curtius,
Stadtgeschichte, p. 222); in 307 the fort
was destroyed by Demetrius Poliorcetes
(Plut. Demetr. 10), but was soon restored
in the Macedonian interest, to be evacua-
ted in 229. It was probably destroyed
by Sulla. By the time of Strabo (p. 395
c) it was in ruins (C. Wachsmuth, Stadt
Athen, ii 42—45).

ὑπὸ Κλεομένους] Hdt. v 64, 65.
χρησμῶν] ib. 63 (quoted on § 4).

§ 3. οἱ φυγάδες—προσέπταιον] Hdt. v
62, (the Alcmeonidae) ἅμα τοῖσι ἄλλοις
Ἀθηναίων φυγάσι πευρωμένοις κατὰ τὸ
ἰσχυρὸν οὐ προεχώρει κάτοδος, ἀλλὰ προσ-
έπταιον μεγάλως πευρώμενοι κατέναι τε
καὶ ἐλευθεροῦν τὰς Ἀθήνας, Λειψύδριον τὸ
ὑπὲρ Παιονίης τειχίσαντες. Duncker, G. d.
A. vi 501, places this incident in B.C. 513.
Cf. J. H. Wright, The date of Cylon, p. 54.
Λειψύδριον] a ‘waterless’ spot on the
southern flank of Parnes. The site has

ἄστεως, ἐξεπολιορκήθησαν ὑπὸ τῶν τυράννων, ὅθεν ὕστερον μετὰ ταύτην τὴν συμφορὰν ἦδον ἐν τοῖς σκολίοις [[αἰεί]].

αἰαὶ Λειψύδριον προδωσέταιρον,
οἴους ἄνδρας ἀπώλεσας μάχεσθαι
ἀγαθοὺς τε καὶ εὐπατρίδας,
οἱ τότ' ἔδειξαν οἴων πατέρων ἔσαν.

15

4 ἀποτυγχάνοντες οὖν ἐν ἅπ[α]σι τοῖς ἄλλοις, ἐμισθώσαντο τὸν ἐν

13 **ΜΕΤΑ**: εἰς K-W (B) ex Etym. Mag. 361, 33 σκόλιον εἰς αὐτοὺς ἦδeto. 14 **αἰεί** secl. Hude, K-W, H-L, utpote ex dittographia ortum. 16—17 **μάχεσθαι τ' ἀγαθοὺς**

καὶ Eustathius; τ' ἀγαθοὺς, γένει τ' Hermann, *El. D. Metr.* 695. καὶ εὐπατρίδας, idem habent Athenaeus, Suidas et Etym. Mag.: καὶ εὐπατρίδαν Tyrrell; ἀγαθοὺς, καλοὺς, εὐπατρίδας Bury.

19 *Schol. in Arist. *Lys.* 1153: 'Ἀριστοτέλης φησὶ μετὰ τὸν Ἰππάρχου θάνατον χρησμὸν γενέσθαι τοῖς Λάκωσιν καταλύειν τὴν τυραννίδα, τῆς Πυθίας, ὡς οἱ Ἀλκμαιονίδαι ἐμισθώσαντο τὸν ἐν Δελφοῖς νεῶν οἰκοδομεῖν, συνεχῶς τοῦτο χρώσης αὐτοῖς μαντευόμενοι, ἕως πρότερον μὲν Ἀγχιμόλον (cod. Rav.) ἐπεμψαν κατὰ θάλασσαν, ἀποκροσθέντος δὲ αὐτοῦ ὀργισθέντες οἱ Λάκωνες Κλεομένη τὸν βασιλέα σὺν μείζονι ἐξέπεμψαν στόλῳ καὶ νικήσας τοὺς Θετταλοὺς εἰσῆλθεν εἰς τὴν Ἀττικὴν καὶ τὸν Ἰππίαν συνέκλεισεν εἰς τὸ Πελαργικὸν τεῖχος, ἕως οἱ παῖδες τῶν τυράννων ἐξίόντες ἐάλωσαν (Rose, *Frag.* 357², 395³).

not been identified. Leake (*Demi*, p. 39), placing Paeonidae at *Menidhi*, regarded the monastery of St Nicolas at the upper end of a long acclivity three or four miles (*drei Stunden*, Kastromenos, *die Deme*, p. 95) to the N. as the site of Leipsydrium. The monastery is 'built in a strong situation upon the summit of a height, backed by the pine woods of Parnes and near the right bank of a remarkable torrent'. But the presence of the torrent is unfavourable to this identification of the 'waterless' spot. Kastromenos, *i.e.*, merely says of this torrent that its water 'has certainly never failed to supply Leipsydrium,' but he does not say clearly that this fact goes against the proposed identification. *Menidhi* is now identified as the site of Acharnae, while Paeonidae may possibly correspond to the ruined village of *Vari-pompi*, two hours north of *Menidhi* at the southern edge of Parnes, and Leipsydrium may have occupied the same position as the Pyrgos above that village (Hanriot, *Recherches*, p. 55 *sqq.*, quoted in Bursian's *Geographie*, i 334).

ἦδον ἐν τοῖς σκολίοις] cf. c. 20 at end. On *scolia*, see K. O. Müller's *Lit. of Ancient Greece*, i 249 E. T. 'The rhythms of the extant scolia are very various, though, on the whole, they resemble those of the Aeolic lyric poetry; only that the course of the strophes is broken by an accelerated rhythm, and is

in general more animated. This is particularly true of the apt and elegant metre, which occurs in eight Scolia (one of them the Harmodius), and of which there is a comic imitation in Aristoph. *Ecc.* 938.

—= 100 — 100 — 100 —
—= 100 — 100 — 100 —
100 — 100 — 100 —
100 — 100 — 100 —

Here the hendecasyllables begin with a composed and feeble tone; but a more rapid rhythm is introduced by the anapaestic beginning of the third verse; and the two expressions are reconciled by the logaedic members in the last verse.' This scolium is quoted with many others in Athenaeus, xv p. 695.

προδωσέταιρον] a rare epithet appropriate to an impromptu song. It was afterwards used in late prose by Dio Cassius 58, 14. The only other word exactly parallel to it is *προδωσέκομος* of 'a boaster who breaks his word'. Both words are noticed by Lobeck, *Phryn.* 770 (L and S).

§ 4. **ἐμισθώσαντο**—**Ἀθήνας**] Hdt. v 62, παρ' Ἀμφικτυόνων τὸν νηὸν μισθοῦνται τὸν ἐν Δελφοῖσι...ἐξοικοδομήσαι. οἱ δὲ χρημάτων εὖ ἤκοντες καὶ ἔδντες ἄνδρες δοκιμοὶ ἀνέκαθεν ἔτι, τὸν τε νηὸν ἐξεργάσαντο τοῦ παραδέγματος κάλλιον... (c. 63) ὡς οὖν δὴ οἱ Ἀθηναῖοι λέγουσι, οὗτοι οἱ

- 20 Δελφοῖς νεὼν οἰκοδομεῖν, ὅθεν εὐπόρησαν χρημάτων πρὸς τὴν τῶν
 Λακώνων βοήθειαν. ἡ δὲ Πυθία προὔφερεν αἰεὶ τοῖς Λακεδαιμονί-
 οῖς χρηστηριαζομένοις ἐλευθεροῦν τὰς Ἀθήνας, εἰς τοῦθ' ἕως
 προὔτρεψε τοὺς Σπαρτιάτας, καίπερ ὄντων ξένων αὐτοῖς τῶν
 Πεισιστρατιδῶν· συνεβάλλετο δὲ οὐκ ἐλάττω μοῖραν τῆς ὀρμῆς
 25 τοῖς Λάκωσιν ἢ πρὸς τοὺς Ἀργεῖους τοῖς Πεισιστρατιδαῖς ὑπάρ-
 χουσα φιλία. τὸ μὲν οὖν πρῶτον Ἀγχίμολον ἀπέστειλαν κατὰ 5

20 οἰκοδομεῖν ὅθεν εὐπόρησαν χρημάτων, K; χρησμών? Wyse; commatis signum post οἰκοδομεῖν (B) posuerunt H-L ('gravius vitium subesse' arbitrati), et K-W (lacuna post χρημάτων indicata). ὑπόρησαν H-L. 21 προὔφερεν H-L, cf. v. 23 προὔ-
 τρεψε: προεφ (K, K-W, B). αἰεὶ (K, K-W, B); cf. 5, 19. 22 εἰς τοῦ-
 τεύθεωσ: correxist Blass e Schol. Arist. *Lys.* 1153 (K-W, H-L, K³). 24 σὺνε-
 βάλλετο (K, K-W, B): συνεβάλλετο Richards (H-L).

ἄνδρες ἐν Δελφοῖσι κατήμενοι ἀνέπειθον τὴν Πυθίην, ὅπως ἔλθοιεν Σπαρτιητέων ἄνδρες εἶτε ἰδίῳ στόλῳ εἶτε δημοσίῳ χρησόμενοι, προφέρειν σφί τὰς Ἀθήνας ἐλευθεροῦν, *ib.* ii 180. Schol. Aeschin. 3, 116.

The temple at Delphi was burnt down in B.C. 548; the contract of 300 talents for rebuilding it is assigned by Duncker, *G. d. A.* vi 493, to about 535. Pharaoh Amasis, who contributed to its restoration, died in 526.

Rose, *A. P.*, p. 418, observes, on Schol. Arist. *Lysistr.* 1153, that the writer of the 'Ath. πολ. must have closely followed Herodotus. But this is no proof of the spuriousness of the treatise, as Ar. frequently refers to Herodotus in his undisputed works: 123 b 9, 523 a 17, 736 a 10, 756 b 6, 1343 a 20, 1344 a 16, 1409 a 27, 1451 b 2 (Heitz, *Verl. Schriften*, p. 246).

It appears impossible to take ὅθεν as = ἀφ' ὧν (as proposed by Mr Kenyon). It can only mean: 'hence it was that they had abundance of money'. Similar uses of ὅθεν occur in 6 § 2, 7 § 4, 21 §§ 2, 4. We have here a slight divergence from the account in Herodotus. The historian describes the wealth of the Alcmaeonidae as enabling them to undertake the contract for rebuilding the temple, which they carried out in a splendid manner. The text states that, owing to their undertaking the contract, they had large supplies of money. These sums were entrusted to them to enable them to execute their contract, but they were (partly) applied to securing the aid of Sparta against the Peisistratidae. This account is confirmed by a subsequent Attidographer, Philochorus, *frag.* 70, FHG; 395, ap. Schol. Pind. *Pyth.* vii 9, λέγεται, ὅτι

τὸν Πυθικὸν ναὺν ἐμπρησθέντα, ὥς φασιν, ὑπὸ τῶν Πεισιστρατιδῶν οἱ Ἀλκμαιωνίδαι φνυγαδευθέντες ὑπ' αὐτῶν ὑέσχοντο ἀνοικοδομήσαι, καὶ δεξάμενοι χρήματα καὶ συναγαγόντες δύναμιν ἐπέθεντο τοῖς Πεισιστρατιδαῖς, καὶ νικήσαντες μετ' εὐχαριστηρίων πλείωνων ἀνικοδόμησαν τῷ θεῷ τὸ τέμενος, ὥς Φιλόχορος ἱστορεῖ. Isocr. *de Perm.* 232 describes the Alcmaeonid Cleisthenes as having established the democracy, λόγῳ πείσας τοὺς Ἀμφικτύονας δανείσαι τῶν τοῦ θεοῦ χρημάτων αὐτοῦ. Similarly Dem. c. *Mid.* 144 says of the Alcmaeonidae: τοῦτους δὲ φασιν ὑπὸ τῶν τυράννων ὑπὲρ τοῦ δήμου στασιάζοντας ἐκπεσεῖν, καὶ δανεισάμενους χρήματ' ἐκ Δελφῶν ἐλευθερώσαι τὴν πόλιν καὶ τοὺς Πεισιστράτου παῖδας ἐκβαλεῖν.

προὔφερεν] This defends προφέρειν in Hdt. v 63, against προφαίνειν (preferred by Bekker and Dindorf).

καίπερ ὄντων ξένων] Hdt. l. c., καὶ ξεινίους σφί ἔοντας τὰ μάλιστα.

συνεβάλλετο—μοῖραν] Plat. *Tim.* 47 C, (λόγος) μεγίστην ξυμβαλλόμενος εἰς αὐτὰ μοῖραν, and often with μέρος. Ar. *de Anima* 1, 402 b 22, συμβάλλεται μέγα μέρος πρὸς τὸ εἶδέναι, *Poet.* 22, 1458 a 34; *de Part. Anim.* iii 12, 673 b 25, συμβάλλεται πολὺ μέρος πρὸς ὑγίειαν. *Pol.* iv (vii) 11, 1330 b 13, ταῦτα πλείστον συμβάλλεται πρὸς τὴν ὑγίειαν, ii 9, 1270 a 14, συμβάλλεσθαι τι πρὸς τὴν φιλοχρηματίαν, iii 9, 1281 a 4, συμβάλλονται πλείστον εἰς—, vii (vi) 2, 1317 b 16, συμβάλλεται ταύτη πρὸς—.

ἡ πρὸς Ἀργεῖους—φιλία] c. 17 ad fin. § 5. Ἀγχίμολον] Hdt. v 63, πέμπουσι Ἀγχιμόδιον—κατὰ θάλατταν πλοίοισι. Ἀγχίμολον is the reading in the Ravenna MS of Schol. on Aristoph. *Lys.* 1153.

38 μετὰ τὴν τοῦ πατρὸς τελευτὴν ἔτη μάλιστα ἑπτακαίδεκα, τὰ δὲ
σύμπαντα σὺν οἷς ὁ πατὴρ ἤρξεν ἑνὸς δεῖν πεντήκοντα.

20. καταλυθείσης δὲ τῆς τυραννίδος, ἐστασίαζον πρὸς ἀλ-
λ[ήλ]ους Ἰσαγόρας ὁ Τεισάνδρου, φίλος ὦν τῶν τυράννων, καὶ
Κλεισθένης τοῦ γένους ὦν τῶν Ἀλκμεωνιδῶν. ἡττώμενος δὲ ταῖς
ἑταιρείαις ὁ Κλεισθένης προσηγάγετο τὸν δῆμον, ἀποδιδούς τῷ
5 πλήθει τὴν πολιτείαν. ὁ δὲ Ἰσαγόρας ἐπιλειπόμενος τῇ δυνάμει 2
πάλιν ἐπικαλεσάμενος τὸν Κλεομένην, ὄντα ἑαυτῷ ξένον, συνέπει-
σεν ἐλαύνειν τὸ ἄγος, διὰ τὸ τοὺς Ἀλκμεωνίδας δοκεῖν εἶναι τῶν

39 δεῖν J E B Mayor, Sidgwick, κ-ω (κ³): ΔΕΙ hic et 27 § 2 (H-L, B).

XX 2 ΤΙΣΑΝΔΡΟΥ. 3 ΑΛΚΜΕΩΝΙΔΩΝ hic et v. 20. ΗΤΤΗΜΕΝΟΣ (κ):
ἡττώμενος Blass coll. Hdt. v 66 (κ-ω, H-L). 5 ΕΠΙΛΕΙΠΟΜΕΝΟΣ (κ, κ-ω, B),
cf. 27 § 4, 34 § 3: ἀπολειπόμενος Richards, Kontos, H-L; ὑπο- Haskins. 7—8 ἄγος
et ἡγῆλαται κ et H-L; ceterum cf. Jebb ad Soph. O. T. 402.

39 Schol. Arist. *Vesp.* 502...δοκεῖ δὲ ἡ τυραννὶς καταστῆναι, ὥς φησιν Ἐρατοσθένης,
ἐπὶ ἔτη ν̄ (50), τοῦ ἀκριβοῦς διαμαρτάνων, Ἀριστοτέλους (Bentley; legebatur Ἀριστο-
φάνους) μὲν τεσσαράκοντα καὶ ἐν (per errorem pro ἐννέα scriptum) φῆσαντος, Ἡροδότου
δὲ (v 65) ἑξ καὶ τριάκοντα (Rose, *Frag.* 358², 396³).

ἔτη μάλιστα ἑπτακαίδεκα—ἑνὸς δεῖν
πεντήκοντα.] In *Pol.* viii (v) 12, 1315
b 31, the rule of the sons lasts 18 years,
while from the beginning to the end of
the τυραννὶς of the father is 33 years,
thus giving a total of 51 years. The 49
years of the text include 'about 17 years'
for the rule of the sons, added to the 33
years assigned to the father in c. 17 § 1. In
Hdt. v 65 the actual τυραννὶς of Peisistratus
and his sons lasts for 36 years. It is
probably by deducting from this number
the 17 years here mentioned, that the
writer gets 19 years as the duration of
the actual rule of Peisistratus in 17 § 1.

σύν] Rare in Attic prose, except in
Xenophon, its place being generally
taken by μετὰ with gen. One of the special
uses of σύν in Attic prose is to express
numerical addition. According to
Eucken, *Sprachegebrauch des Ar.*, p. 29,
the following are the only instances of
σύν in the genuine writings of Aristotle.
Met. 1039 b 21, σύν τῇ ὕλῃ συνειλημμένος,
1044 b 15, εἰάν δὲ προστεθῇ τὸ ὑπὸ γῆς ἐν
μέσῳ γνωμένης, ὁ σύν τῷ αἰτίῳ λόγος οὗτος,
1058 b 17, σύν τῇ ὕλῃ οἱ λόγοι αὐτῶν.
Μετεωρ. 348 a 24, φερόμενα σύν ψόφῳ
πολλῷ. *Hist. Anim.* 490 a 32, αἱ γὰρ
καμπαὶ τέτταρες, ἡ δὲ σύν τοῖς περινόις,
525 b 15—17, πόδας δ' οἱ μὲν κάραβοι ἐφ'
ἐκάτερα ἔχουσι πέντε σύν ταῖς ἐσχάταις
χρηαῖς ὁμοίως δὲ καὶ οἱ καρκίνοι δέκα τοὺς
πάντας σύν ταῖς χρηαῖς. *De partib. anim.*
683 b 3, ἐξάποδα δὲ τὰ τοιαῦτα πάντ' ἐστὶ

σὺν τοῖς ἀλτικαῖς μορίοις. It will be ob-
served that in several of these exx. the
numerical sense is prominent. In the
spurious works near the time of Ar. there
is no instance of σύν, but it occurs in
those of much later date. In the most
extensive of the works of Theophrastus
it is only found thrice: *Hist. Pl.* ix 20, 4,
Caus. Pl. ii 17, 8, v 6, 6 (Eucken, p. 30).

δεῖν, not δεῖ, is the right form here, and
in c. 27, ἑνὸς δεῖν πεντηκοστῷ ἔτει, as well
as in *Rhet.* ii 14 fin. To make δεῖν stand
for δέον is a barbarism (Kühner, *Gr. Gr.*
§ 50, 11, p. 216 Blass) and cannot be de-
fended on the analogy of πλεῖν ('more
than') which is really for πλείον, not for
πλέον. It is remarkable that this numerical
expression (= *undequingiginta*) has es-
caped lexicographers and grammarians
(Mayor).

XX—XXII. *The Constitution of
Cleisthenes.*

XX § 1. ἡττώμενος—δήμων] Hdt. v
66, (Κλεισθένης καὶ Ἰσαγόρας) ἐστασίασαν
περὶ δυνάμιος, ἐσσούμενος δὲ ὁ Κλει-
σθένης τὸν δῆμον προσεταιρίζεται, ib. 69
fin. ἦν δὲ τὸν δῆμον προσθέμενος πολλῷ
κατύπερθε τῶν ἀντιστασιωτέων. (70) ἐν
τῷ μέρει δὲ ἐσσούμενος ὁ Ἰσαγόρας ἀντι-
τεχνᾶται τάδε. On ἑταιρείαι cf. *Pol.* 1313
a 39 ff.

§ 2. ἐπικαλεσάμενος—ξένον] Hdt. v 70,
ἐπικαλέεται Κλεομένηα...γενόμενον ἐαυτῷ
ξένον.

ἐλαύνειν τὸ ἄγος] Cf. c. 1.

θάλατταν ἔχοντα στρατιάν. ἡττη[θέν]τος δ' αὐτοῦ καὶ τελευτήσαντος, διὰ τὸ Κινέαν βοηθήσαι τὸν Θετταλὸν ἔχοντα χιλίους ἵππεῖς, προσοργισθέντες τῷ γενομένῳ, Κλεομένην ἐξέπεμψαν τὸν βασιλέα στόλον ἔχοντα μείζω κατὰ γῆν, ὃς ἐπεὶ τοὺς τῶν Θετταλῶν ἵππεῖς ἐνίκησεν κωλύοντας αὐτὸν εἰς τὴν Ἀττικὴν παριέναι, κατακλείσας τὸν Ἰππιαν εἰς τὸ καλούμενον Πελαργικὸν τείχος ἐπολιόρκει μετὰ τῶν Ἀθηναίων. προσκαθημένου δ' αὐτοῦ συνέπεσεν ὑπεξιόντας ἀλῶναι τοὺς τῶν Πεισιστρατιδῶν υἱεῖς· ὧν ληφθέντων ὁμολογίαν ἐπὶ τῇ τῶν παίδων σωτηρίᾳ ποιησάμενοι, καὶ τὰ ἑαυτῶν ἐν πένθ' ἡμέραις ἐκκομισάμενοι, παρέδωκαν τὴν ἀκρόπολιν τοῖς Ἀθηναίοις ἐπὶ Ἀρπακτίδου ἄρχοντος, κατασχόντες τὴν τυραννίδα

28 ΘΕΣΣΑΛΟΝ (K-W): Θετταλὸν (K, H-L, B), Meisterhans p. 72². 29 προσοργισθέντες (K, K-W?, B): παρ. Naber (H-L) et K-W. 32 -κλεισας K, coll. Meisterhans, p. 28²: -κλήσας (K-W, H-L, B). 34 ΕΠΕΞΙΟΝΤΑΣ: ὑπεξιόντας Wyse .T.
(K-W, H-L, K³, B). 37 ΕΠΙΤΑΡΠΑΚΙΔΟΥ, ἐπὶ Ἀρπακτίδου (K, K-W, B, ἐφ' Ἀρπ. H-L).

Κινέαν] Hdt. l. c. Θεσσαλοὶ...ἀπέπεμψαν...χιλὴν τε ἵππον καὶ τὸν βασιλέα τὸν σφέτερον Κινένν.

Κλεομένην—παριέναι] Hdt. v 64, μέζω στόλον στείλαντες ἀπέπεμψαν ἐπὶ τὰς Ἀθήνας, στρατηγὸν τῆς στρατῆς ἀποδέξαντες βασιλέα Κλεομένην τὸν Ἀναξανδρίδην, οὐκ ἐτι κατὰ θάλασσαν στείλαντες ἀλλὰ κατ' ἡπειρον· τοῖσι ἐσβαλοῦσι ἐς τὴν Ἀττικὴν χώραν ἡ τῶν Θεσσαλῶν ἵππος πρώτη προσέμιξε καὶ οὐ μετὰ πολλὸν ἐτρέπετο. Arist. Lys. 1150—6.

κατακλείσας—Ἀθηναίων] Hdt. l. c. ἅμα Ἀθηναίων τοῖσι βουλομένοισι εἶναι ἐλευθέροις ἐπολιόρκει τοὺς τυράννους ἀπεργαζόμενος ἐν τῷ Πελασγικῷ τείχεϊ.

Πελαργικὸν τείχος] the ancient fortification surrounding the west end (if not the whole) of the Acropolis; it had nine gates, and was the chief fortress of Athens until the expulsion of the Peisistratidae. It was thereupon destroyed and its site was left unoccupied (Thuc. ii 17). Even in the second century A.D. the blocks of stone from its ruined walls were still to be seen (Lucian, *Piscator* 47). Cf. Burian, *Geogr.* i 305 and Lolling in I. Müller's *Handbuch*, iii 337. Curtius insists on the literal sense of the passages describing it as surrounding the Acropolis, Hdt. vi 137, τοῦ τείχεος τοῦ περὶ τὴν ἀκρόπολιν ποτε ἐληλαμένου, Dionys. Hal. i 28, Paus. i. 28 3 (*Stadtgeschichte* pp. LXXVI, 47, and map on p. 61). Cf. Holm, ii 341. After the

building of the wall of Cimon, the name was probably confined to the west end of the fortification (Judeich in *Fleckeis. Jahrb.* 1890, p. 753 f.).

§ 6. **ὑπεξιόντας**] Hdt. v 65, ὑπεκτιθέμενοι γὰρ ἔξω τῆς χώρας οἱ παῖδες τῶν Πεισιστρατιδῶν ἦλθσαν. ὁμολογίαν κτλ.] ἰδ. παρέστησαν—ὥστε ἐν πέντε ἡμέρησι ἐκχωρήσαι ἐκ τῆς Ἀττικῆς.

ἐπὶ Ἀρπακτίδου ἄρχοντος] The expulsion of the Peisistratidae belongs to the year 511/0 B.C., being placed by Thuc. vi 59 § 5 (πανθεὶς ἐν τῷ τετάρτῳ), in the fourth year of the sole rule of Hippias, which began in 514 B.C. It is also the fourth year before the archonship of Isagoras in B.C. 508/7 (21 § 1). The name of the archon is now known for the first time.

When Thucydides (l. c.), as observed by Mr Kenyon, describes Hippias as fighting at Marathon 'in the 20th year' after his expulsion, he is using a round number, as the actual interval was 20 years and a few months. Mr E. S. Thompson (*Class. Rev.* vi 181) connects the Plataean alliance with the expulsion of the Peisistratidae, placing both events in B.C. 511/0. Hence, in Thuc. iii 68, where the fall of Plataea is put in the 93rd year after its alliance with Athens, Mr Thompson proposes to alter the 93rd into the 84th year.

3 ἐναγῶν. ὑπεξελθόντος δὲ τοῦ Κλεισθένης μετ' ὀλίγων, ἡγηλάτει
τῶν Ἀθηναίων ἐπτακοσίας οἰκίας· ταῦτα δὲ διαπραξάμενος, τὴν
μὲν βουλὴν ἐπειράτο καταλύειν, Ἰσαγόραν δὲ καὶ τριακοσίους τῶν 10
φίλων μετ' αὐτοῦ κυρίους καθιστάναι τῆς πόλεως. τῆς δὲ βουλῆς
ἀντιστάσης καὶ συναθροισθέντος τοῦ πλήθους, οἱ μὲν περὶ τὸν
Κλεομένην καὶ Ἰσαγόραν κατέφυγον εἰς τὴν ἀκρόπολιν· ὁ δὲ δῆμος
δύο μὲν ἡμέρας προσκαθεζόμενος ἐπολιόρκει, τῇ δὲ τρίτῃ Κλεομέ-
νην μὲν καὶ τοὺς μετ' αὐτοῦ πάντας ἀφείσαν ὑποσπόνδους, Κλει- 15
σθένην δὲ καὶ τοὺς ἄλλους φυγάδας μετεπέμψαντο. κατασχόντος
δὲ τοῦ δήμου τὰ πράγματα, Κλεισθένης ἡγεμὼν ἦν καὶ τοῦ δήμου
προστάτης. αἰτιώτατοι γὰρ σχεδὸν ἐγένοντο τῆς ἐκβολῆς τῶν
τυράννων οἱ Ἀλκμεωνίδαι, καὶ στασιάζοντες τὰ πολλὰ διετέλεσαν.
5 ἔτι δὲ πρότερον τῶν Ἀλκμεωνιδῶν Κήδων ἐπέθετο τοῖς τυράννοις· 20
διὸ καὶ ἦδον καὶ εἰς τούτον ἐν τοῖς σκολίοις·

ἔγχει καὶ Κήδωνι, διάκονε, μηδ' ἐπιλήθου,
εἰ χρὴ τοῖς ἀγαθοῖς ἀνδράσιw οἰνοχοεῖν.

21. διὰ μὲν οὖν ταύτας τὰς αἰτίας ἐπίστευεν ὁ δῆμος τῷ
Κλεισθένει. τότε δὲ τοῦ πλήθους προεστηκώς, ἔπει τετάρτῳ μετὰ
2 τὴν τῶν τυράννων κατάλυσιν, ἐπὶ Ἰσαγόρου ἄρχοντος, πρῶτον μὲν

8 <ἀφικόμενος ὁ Κλεομένης> μετ' ὀλίγων ἡγηλάτει add. K-W² ex Hdt. v 70.
ἀγῆλαται B, coll. Hdt. v 72. 11 ἄτοϋ sc. μετὰ του. 15 ἀφίεσαν:
ἀφείσαν (K-W, B). ΚΛΕΙΣΘΕΝΗΝ (K-W, H-L, B); cf. 22 § 1, et Kühner, *Gr. Gr.* i
p. 512³. 19 ἀντιστασιάζοντες H-L. πρὸς τούτους vel κατὰ τούτων desiderat Gen-
nadios. 23 εἰ δὴ χρὴ ἀγαθοῖς minus bene Athen. 695; εἰ δὴ χρὴ σ' ἀγαθοῖς Bergk.
ο.

XXI 1 ΕΠΙΣΤΕΥΕΝ, cf. 35 § 3 ἔχαιρον ἢ πόλιν. ἐπίστευεν ὁ δῆμος K, H-L, B: ἐπί-
στευον [ὁ δῆμος] Rutherford, Bury, K-W. 3 ἐπ' H-L.

§ 3. ὑπεξελθόντος] Hdt. v 72, Κλεομέ-
νης δὲ ὡς πέμπων (κήρυκα) ἐξέβαλλε Κλει-
σθένα καὶ τοὺς ἐναγέας, Κλεισθένης μὲν
αὐτὸς ὑπέεσχε. ἡγηλάτει] *ib.* ἀγῆλατεί
ἐπτακόσια ἐπίστια Ἀθηναίων.

ταῦτα δὲ—ὑποσπόνδους] Hdt. v 72,
ταῦτα δὲ ποιήσας δεύτερα τὴν βουλὴν
καταλύειν ἐπειράτο, τριηκοσίους δὲ τοῖσι
Ἰσαγόρῳ στασιώτῃσι τὰς ἀρχὰς ἐνεχείριζε.
ἀντιστάσεως δὲ τῆς βουλῆς καὶ οὐ βου-
λομένης πείθεσθαι ὅ τε Κλεομένης καὶ ὁ
Ἰσαγόρης καὶ οἱ στασιώται αὐτοῦ καταλαμ-
βάνουσι τὴν ἀκρόπολιν. Ἀθηναίων δὲ οἱ
λοιποὶ τὰ αὐτὰ φρονήσαντες ἐπολιόρκειον
αὐτοὺς ἡμέρας δύο· τῇ δὲ τρίτῃ ὑπόσπονδοι
ἐξέρχονται ἐκ τῆς χώρας ὅσοι ἦσαν αὐτῶν
Λακεδαιμόνιοι. Isagoras withdrew with
the Lacedaemonians (74); the rest of the
Athenians who had taken his side were
put to death (72 *fin.*).

μετεπέμψαντο] Hdt. v 73, Κλεισθένα

καὶ τὰ ἐπτακόσια ἐπίστια τὰ διωχθέντα
ὑπὸ Κλεομένους μεταπεμψάμενοι.

§ 4. τοῦ δήμου προστάτης] c. 2 § 2
ad fin.

§ 5. Κήδων] Nothing else is known of
this person. His endeavour to expel the
tyrants was doubtless one of the unsuc-
cessful attempts recorded in c. 19 in the
general phrase: αἱ προσέπειτον.

καὶ εἰς τούτον] *i.e.* as well as the
baffled heroes of Leipsydrium celebrated
in the song recorded in c. 19, and quoted
by Athenaeus immediately after this
couplet. This juxtaposition seems to
shew that both quotations were derived
from this work.

XXI § 1. ἔπει τετάρτῳ...ἐπὶ Ἰσαγόρου
ἄρχοντος] The fourth year after the
expulsion of the Peisistratidae (511/0)
corresponds to 508/7 B.C. The archon-
ship of Isagoras is placed by Dionysius

συνένειμε πάντας εἰς δέκα φυλὰς ἀντὶ τῶν τεττάρων, ἀναμείζαι
5 βουλόμενος ὅπως μετάσχωσι πλείους τῆς πολιτείας· ὅθεν ἐλέχθη

4 ΟΥΝΕΝΕΙΜΕ: συνένειμε Newman, Kontos, Gertz, H-L (K³ coll. 41 § 2, B); οὖν συνένειμε K-W, qui lacunam post ἀρχοντος indicatam ope Ar. Pol. 1275 ὃ 36 explendam censent. διένειμε Wyse, ἀνένειμε Thompson. ἀναμείζαι K-W, H-L, K³; cf. 3 § 5 σύμμειζις: ΔΝΑΜΙΖΑΙ.

Hal., *Ant. Rom.* i 74, in Ol. 68, 1 = 508/7 B.C.; and his second mention of the same date, in v 1, shews that it was an Olympic year.

The text implies that the reforms of Cleisthenes were subsequent to the expulsion of Isagoras and Cleomenes. Cleisthenes begins by offering (ἀποδιδούς, 20 § 1) the commons a share in the constitution; Isagoras appeals to Cleomenes for his assistance against Cleisthenes, and is defeated; thereupon Cleisthenes carries out his proposed reforms. Herodotus briefly mentions some of these reforms (v 66 and 69), and describes the calling in of Cleomenes as a counter-move on the part of Isagoras (70). Hence modern historians, e. g. Thirlwall, Grote, Curtius and Busolt, place the constitutional reforms of Cleisthenes before the calling in of Cleomenes. This appears improbable, for (as justly observed by Mr Kenyon) 'there was not time to have introduced such extensive constitutional changes before the Spartan invasion; a remark which had already been made by Sauppe, *De Demis Urbanis*, p. 1. The evidence of Herodotus, when carefully examined, is partly in favour of the account in the text. He begins by describing Cl. as courting the aid of the commons (τὸν δῆμον προσεταιρίζεται). He then adds that it was afterwards (μετὰ δὲ) that Cl. transformed the four tribes into ten. This part of his narrative is a digression, and the story is resumed in c. 69, ἦν τε τὸν δῆμον προσθέμενος πολλῶ κατῦπερθε τῶν ἀντιστασιωτῶν. In this view, I find myself in agreement with Lugebil, *Philol. Suppl.* Bd. iv 165.

§ 2. εἰς δέκα φυλὰς ἀντὶ τῶν τεττάρων κτλ.] Hdt. v 66, μετὰ δὲ τετραφύλους ὄντας Ἀθηναίους δεκαφύλους ἐποίησε κτλ. ib. 69, τὰς φυλὰς μετωνόμασε καὶ ἐποίησε πλείους ἐξ ἑλασσόνων· δέκα τε δὴ φυλάρχους ἀντὶ τεσσέρων ἐποίησε, δέκα δὲ καὶ τοὺς δήμους κατένειμε ἐς τὰς φυλὰς. In the *Politics*, Ar. alludes to these reforms as follows: iii 2, 1275 ὃ 37, ἀλλ' ἴσως ἐκείνο μᾶλλον ἔχει ἀπορίαν, ὅσοι μετέσχον μεταβολῆς γενομένης πολιτείας (cf. μετάσχωσι... τῆς πολιτείας), οἷον Ἀθήνησιν ἐποίησε Κλει-

σθένης μετὰ τὴν τῶν τυράννων ἐκβολήν· πολλοὺς γὰρ ἐφυλέτευσσε ξένους καὶ δούλους μετοίκους, i.e. enrolled (as citizens) in the tribes not only free-born foreigners but also slaves who by emancipation had already become μέτοικοι (cf. Gilbert, *Gr. St.* i 144; Hermann, *Staatsalt.* § 111, 18). The text, as it stands, makes no direct mention of these, though it incidentally names the νεοπολίται at the end of § 4. Cf. ib. vii (vi) 4, 1319 ὃ 20, ἔτι δὲ καὶ τὰ τοιαῦτα κατασκευάσματα χρήσιμα πρὸς τὴν δημοκρατίαν τὴν τοιαύτην, οἷς Κλεισθένης τε Ἀθήνησιν ἐχρήσατο βουλόμενος αὐξήσαι τὴν δημοκρατίαν, καὶ περὶ Κυρήνην οἱ τὸν δῆμον καθιστάντες. φυλαί τε γὰρ ἕτεροι ποιηταὶ πλείους καὶ φατρίαι, καὶ τὰ τῶν ἰδίων ἱερῶν συνακτέον εἰς ὀλίγα καὶ κοινά, καὶ πάντα σοφιστέον ὅπως ἂν ὅτι μάλιστα ἀναμιχθῶσι (cf. ἀναμείζαι) πάντες ἀλλήλοις, αἱ δὲ συνήθειαι διαζευχθῶσιν αἱ πρότεραι. See Grote, c. 31, ii p. 109—113; and *inf.* p. 83.

ὅθεν—βουλομένους] 'Hence the advice, not to notice the tribe, which was tendered to those who would scrutinise (the lists of) the clans.' This is the interpretation suggested by Mr Kenyon who, in the course of an excellent note, observes that, as the φυλαί, after the reforms of Cleisthenes, 'no longer bore any relation to the γένη, it was useless to enter on an examination of the tribes for the purpose of reviewing the lists of the γένη... A number of persons were admitted to the new tribes who had not been members of the old, and these were not necessarily entered on the rolls of any of the γένη. Formerly, on any review of the citizen-roll, it was no doubt usual to go through it tribe by tribe, following all the subdivisions of the old patriarchal system. Now, the tribe-roll had no relation to that of the γένη, and consequently those persons who wished to examine the latter would have nothing to do with distinctions of tribe.' In the words of Grote, c. 10, ii 273, 'the gentes had no connection, as such, with these new tribes, and the members of the same gens might belong to different demes'.

[Col. 9] καὶ τὸ μὴ φυλοκρινεῖν, || πρὸς τοὺς ἐξετάζειν τὰ γένη βουλομένους.
 3 ἔπειτα τὴν βουλὴν πεντακοσί[ους] ἀντὶ τετρακοσίων κ[ατ]έστησεν,
 πεντήκοντα ἐξ ἐκάστης φυλῆς· τότε δ' ἡ[σα]ν ἑκατόν. διὰ τοῦτο
 δὲ οὐκ εἰς δώ[δε]κα φυλὰς συνέταξεν, ὅπ[ως α]ὐτῷ μὴ συμβαίνειν
 μερίζειν κατὰ τὰς προὔπαρχούσας τριττῦς· ἦσαν γὰρ ἐκ τεττάρων ¹⁰
 φυλῶν δώδεκα τριττῦες· ὥστ' οὐ [συν]έπιπτεν <ἀν> ἀναμίσγεσθαι
 4 τὸ πλῆθος. διένειμε δὲ καὶ τὴν χώραν κατὰ δήμους τριάκοντα μέρη,

10 ΠΡΟΣ corr. in ΚΑΤΑ. τεττάρων: Δ. 11 ΟΥΣ' ΕΠΕΙΠΤΕΝ? οὐκ ἂν
 συνέπιπτεν Richards (H-L); οὐ συνέπιπτεν ἂν Hude, K-W, K³, B.

TESTIMONIA. 12—15 Michael Psellus περὶ τῶν ὀνομάτων τῶν δικῶν, p. 103 Boissonade, p. 1015 § 31 Migne, ἡ δὲ τριττὺς νεωτέρων ὀνομα παρὰ τοῖς Ἀθηναίοις ἐστὶ. Κλεισθένης γὰρ τις, εἰς τριάκοντα μοῖρας τὴν Ἀττικὴν ἄπασαν διανείμας, ἐπειδὴ τὸ μὲν αὐτῆς ἐπιβαλᾶτιδιον ἦν, τὸ δὲ ἐπὶ τοῦ μέσου καθήστο τῆς χώρας, τὸ δὲ παρὰ τὸ ἄστυ συνέστρωτο, δέκα μὲν μοῖρας τῇ παραλίῳ συντέτευχε, δέκα δὲ κατέστησεν ἐπὶ τὴν μεσόγειον, δέκα δὲ ἄστυνόμους ἐποίησε· καὶ τὸ τριτημόριον τριττὺς ὠνόμαστο (attulerunt K-W).

φυλοκρινεῖν] 'to draw distinctions between tribes'. The word occurs in Thuc. vi 18 § 2, εἴγε ἡσυχάζοιεν πάντες ἡ φυλοκρῖνοισιν οἷς χρεῶν βοηθεῖν, where, like ταμεῖνσθαι in § 3, and στορέσωμεν in § 4, it is a vivid metaphor characteristic of the speaker, Alcibiades. Cf. Lucian, *Abdicatus*, 4, οὐκ ἐς βάθος ὁρώντων, οὐδ' ἀκριβῶς φυλοκρινουσύντων (Schol. διακρύνωντων, δοκιμαζόντων περιέργως) τὰς νόσους, and *Phalaris alter*, 9, φυλοκρινεῖν τὰ ἀναθήματα καὶ γενεαλογεῖν τὰ πεμπόμενα, ὅθεν καὶ ἀφ' οὗτο καὶ ὅποια (in all these passages there is a v. l. φυλοκρινεῖν). In late authors we also have φυλοκρίνησις, φυλοκρινητέον, and φυλοκρινητικός (see L and S). Pollux, viii 110, after recounting the names of the Attic tribes, adds ἀπὸ δὲ φυλῶν τὸ φυλοκρινεῖν ὠνομάσθη; and Suidas explains φυλοκρινεῖ by διακρίνει, καταδοκιμάζει περιέργως. Cf. Phrynichus, p. 71, 8 Bekk. An. φυλοκρινεῖν· κυρίως μὲν τὸ τὰς φυλὰς τὰς ἐν ταῖς πόλεσι διακρίνειν, σημαίνει δὲ καὶ τὸ ἄλλο τι διατάττειν καὶ διακρίνειν, id. *Arr. Soph.* p. 81, 7, φυλοκρίνει (sic)· διακρίνει, δοκιμαζει περιέργως, κατεξετάζει', quoted by Schmidt on Hesych. φυλ[α]οκρινεῖν· τὰς φυλὰς διακρίνειν.

ἐξετάζειν] Dem. 45 § 82, τὸν ἡμέτερον πατέρα ἐξήταξες ὅστις ἦν (of one who was once a slave). Cf. note on Dem. *Lacr.* § 5.

§ 3. τὴν βουλὴν] From this time forward the Solonian Council of 400 is superseded by that of 500, ἡ τῶν πεντακοσίων βουλὴ, or ἡ βουλὴ οἱ πεντακόσιοι (Aeschin. *Ctes.* § 2) as it was sometimes called, to distinguish it from the Council of the Areopagus. The institution of the

Council of the Five Hundred has always been attributed to Cleisthenes, in connexion with the introduction of the ten tribes; but this passage is probably the first express statement on the subject in any ancient author.

ὅπως—μὴ συμβαίνειν] *Inf.* ὅπως—μετέχῃ, and ἵνα μὴ... ἐξελέγχωσιν.

τριττῦς] c. 8 § 3.

οὐ συνέπιπτεν ἂν—πλῆθος] 'quod si fecisset, non contigisset ut multitudo misceretur' Hude (placing ἦσαν—τριττῦες in a parenthesis).

§ 4. διένειμε—τριάκοντα μέρη] c. 30 § 3, διανείμαι... τέτταρα μέρη, Xen. *Cyrop.* vii 5, 3, τὸ στράτευμα κατένειμε δώδεκα μέρη, Plato, *Politicus*, p. 283 D διέλωμεν αὐτὴν δύο μέρη (Kühner *Gr. Gr.* § 411, 6 c).

Cleisthenes divided the whole of Attica into 30 portions, each of them called a τριττῦς. 10 of these were urban or suburban, 10 on the coast, and 10 in the interior. Each of the 10 tribes had three τριττῦς allotted to it, one from each of the above districts. Thus 'the tribe, as a whole, did not correspond with any continuous portion of the territory, nor could it have any peculiar local interest, separate from the entire community' (Grote). In this way the evils that had arisen during the previous century from the factions of the Shore, the Plain and the Mountain, were effectually counteracted.

The number of demes in each τριττῦς is not known. From the passage in Hdt. v 69, δέκα δὲ καὶ τοὺς δήμους κατένειμε ἐς τὰς φυλὰς, 'Cleisthenes distributed the demes among the tribes by tens', it has been inferred that he 'at first recognised exactly

δέκα μὲν τῶν περὶ τὸ ἄστυ, δέκα δὲ τῆς παραλίας, δέκα δὲ τῆς
μεσογείου, καὶ ταύτας ἐπονομάσας τριττῦς, ἐκλήρωσεν τρεῖς εἰς τὴν
15 φυλὴν ἐκάστην, ὅπως ἐκάστη μετέχῃ πάντων τῶν τόπων. καὶ

100 demes, distributed in equal proportion among his 10 tribes'. This is the view of Schömann (*Ant.* p. 365 E. T.). K. F. Hermann (*Staatsalt.* § 111, 12) held that this is what Herodotus meant to affirm, but he does not accept the account as true. Gilbert, *Gr. St.* i 142, notes that the existence of the Attic demes before Cleisthenes is implied in [Plato], *Hipparch.* p. 228—9. He also quotes Herodian, *περὶ μονήρους λέξεως*, p. 17, 8, 'Ἀραφὴν εἰς τῶν ἐκατὸν ἡρώων. *Araphen*, one of the Attic demes, is thus identical in name with one of the 100 κτίσται ἐπώνυμοι of the demes. He therefore accepts the statement of Herodotus. Others again (*e.g.* Corsini, Grote in his first ed., and Dietrich, *de Cleisthene*, Halle, 1840, p. 32) connect δέκα with ἐς τὰς φυλάς and contend that such a collocation is not uncommon in Herodotus. Madvig, *Adv. Crit.* i 305, strikes out δέκα δέ. Bake (*Bibliotheca Critica* iv 272) alters it into καὶ δῆ. Cf. Schömann, *On Grote*, § 6, and *Ant.* pp. 336, 366 E. T.

Even supposing that 100 demes were recognised by Cleisthenes, that number did not remain unaltered. Early in the 2nd century B.C. (in the time of Polemon, quoted by Strabo p. 396) the number was 174. The number known to us from inscriptions is 182, besides 8 doubtful cases (Hermann's *Staatsalt.* ed. 5, p. 797). Out of these 182, there are 14 duplicate names, such as 'upper' and 'lower *Lamprae*'; so that the number of known names of demes is 168. Landwehr (*Philologus*, Suppl. v, 1889 p. 161—166) holds that 174 was the original number, and that this remained unaltered. The number of τριττῦς was evidently constant and it may be fairly assumed that the demes belonging to each τριττῦς were, as a general rule, contiguous. If there were 100 demes, each of the 30 τριττῦς would contain 3 or 4 demes, twenty of them containing only 3 demes each, and the remaining ten as many as 4, ($20 \times 3 + 10 \times 4 = 100$). Dividing this number by 10 we get for each tribe $2 \times 3 + 1 \times 4$ demes, distributed in such a way that each tribe has one τριττῦς consisting of 4 demes, and 2 consisting of 3. In the case of each tribe, one of these τριττῦς would be situated in or near the

capital, one near the coast, and one in the interior. The following scheme shows how it would be possible to distribute 100 demes among ten tribes while assigning ten trittyes of 3 or 4 demes each to each of the 3 districts:

	urban or suburban	the coast	the interior
<i>Erechtheis</i>	4	3	3
<i>Aegeis</i>	4	3	3
<i>Pandionis</i>	4	3	3
<i>Leontis</i>	3	4	3
<i>Acamantis</i>	3	4	3
<i>Oeneis</i>	3	4	3
<i>Cecropis</i>	3	3	4
<i>Hippothontis</i>	3	3	4
<i>Aeantis</i>	3	3	4
<i>Antiochis</i>	3	3	4
	33	33	34

Total: 100 demes.

Out of the 160 demes in Smith's *Dict. Geogr.*, 124 are assigned to certain tribes; no tribe has less than 10, though several have more; *Acamantis*, *Hippothontis*, and *Leontis* having as many as 15, 16 and 17 respectively.

Athens itself, with its immediate neighbourhood, was divided into several demes and those demes assigned to several tribes, as follows: *Agryle* (*Erechtheis*), *Kollytus* and *Diomeia* (*Aegeis*), *Kydathenaeon* (*Pandionis*), *Scambonidae* (*Leontis*), *Cerameicus* (*Acamantis*), *Lakiadae* (*Oeneis*), *Melite* (*Cecropis*), *Ceiriadae* (*Hippothontis*), *Phaleron* (*Aeantis*), *Colonus ἀγοραῖος* (*Antiochis*?). The Peiraeus was assigned to the tribe *Hippothontis*. (Lolling in I. Müller's *Handbuch*, iii 306.) In the case of the demes in or near Athens it would be difficult for them to be contiguous with the other demes in the same τριττῦς. It is not impossible that less than 3 demes may in some cases have constituted a τριττῦς. On the distribution of the demes among the tribes, cf. Wilamowitz, *Aus Kydathen*, i 110; Hug, *Gemeinden und Bürgerrecht in Attika*, 19; Milchhöfer, *Erl. Text zu Curtius und Kaupfert, Karten von Attika* i 28, ii 39 n. 3 (Busolt, i 614, n. 5).

ὅπως ἐκάστη μετέχῃ πάντων τῶν τόπων] *Pol.* 1330 a 16, ἵνα—ἀμφοτέρων τῶν τόπων πάντες μετέχωσιν. *Plat. Leg.* 745 B-E (Newman).

δημότας ἐποίησεν ἀλλήλων τοὺς οἰκοῦντας ἐν ἐκάστῳ τῶν δήμων, ἵνα μὴ πατρόθεν προσαγορεύοντες ἐξελέγχωσιν τοὺς νεοπολίτας, ἀλλὰ τῶν δήμων ἀναγορεύωσιν· ὅθεν καὶ καλ[οῦ]σιν Ἀθηναῖοι σφᾶς αὐτοὺς τῶν δήμων. κατέστησε δὲ καὶ δημάρχους τὴν αὐτὴν ἔχοντας ἐπιμέλειαν τοῖς πρότερον ναυκράροις· καὶ γὰρ τοὺς δήμους 20

18 προσαγορεύωσιν Richards.

καὶ <νῦν> K-W.

19—21 *Schol. Arist. *Nub.* 37 Ἄρ. δὲ περὶ Κλεισθένης φησὶ “κατέστησε καὶ δημάρχους—ἐποίησεν” (Rose, Frag. 397³, deerat in ed. 2). *Harp. ναυκραρικά... Ἄρ. δ’ ἐν Ἀθ. πολ. φησὶ “κατέστησαν δὲ δημάρχους—ναυκράροις” δημίους (δημαίους cod. A.) ἀντὶ τῶν ναυκρῶν ἐποίησαν” (359², 397³). *Harp. δημάρχους... τούτους δὲ φησιν Ἄρ. ἐν Ἀθ. πολ. ὑπὸ Κλεισθένης κατασταθῆναι τὴν αὐτὴν ἔχοντας ἐπιμέλειαν τοῖς πρότερον ναυκράροις (*ib.*). Hesych. δημάρχοι: οἱ πρότερον καλούμενοι ναύκραροι...

Δημότας—δήμων] Under this arrangement every one originally belonged to the deme in which he lived. His descendants, whether they had property in the deme or not, continued to belong to the same deme. It was only through adoption that a member of one deme became a member of another, by being enrolled in the deme of his adoptive father (Dem. *Leoch.* §§ 22, 34; Schömann, *Antiq.* p. 367, E. T.).

ἵνα μὴ—νεοπολίτας] Many foreigners and resident aliens were added by Cleisthenes to the roll of citizens (*Pol.* 1275 b 37, quoted on p. 78). Such a newly-enrolled citizen, if called by his father's name alone, would betray his foreign origin; but, by being designated by his deme, he lost the badge of his alien birth and was put on equal terms with the other members of the deme.

πατρόθεν] Xen. *Oecon.* vii 3, Pausan. vii 7 § 4. **ἐξελέγχωσιν**] Dem. *Eubul.* 57 § 3, τοῖς μὲν ἐξελεγχόμενοις ξένοις οὐσι χαλεπαίνειν, and *ib.* § 51.

τῶν δήμων ἀναγορεύωσιν] ‘publicly (or officially) call them by their demes.’ Cf. τῶν δήμων Πιθεύς, τῶν δήμων Θορῆκιος (Plat. *Euthyphro*, 213, and Dem. 39 § 30), Lys. 23 § 2, ὁπόθεν δημοτεύοιτο. It may be inferred that before the time of Cleisthenes Athenians were not described by the name of their demes. ‘In Athens, at least after the revolution of Kleisthenēs, the gentile name was not employed: a man was described by his own single name, followed first by the name of his father and next by that of the deme to which he belonged’ (Grote c. 10, ii 274).

§ 5. **κατέστησε—δημάρχους**] Photius, s.v. ναυκραρία, quotes from this treatise (c. 8 § 3), φυλαὶ δὲ ἦσαν—καθ’ ἐκάστην. After this quotation should follow the words which have by mistake been placed before

it, viz.: ὕστερον δὲ ἀπὸ Κλεισθένης δήμοι εἰσι, καὶ δημάρχοι ἐκλήθησαν. At the close of his article he cites Cleidemus (ἐν τῇ τρίτῃ): ὅτι Κλεισθένης δέκα φυλάς ποιήσαντος ἀντὶ τῶν τεσσάρων, συνέβη καὶ εἰς πεντήκοντα μέρη διαταγῆναι· αὐτοὺς (ταῦτα Müller) δὲ ἐκάλουν ναυκραρίας, ὥσπερ νῦν εἰς τὰ ἐκατὸν μέρη διαιρεθέντα (διαίρεθέντας Siebelis) καλοῦσι συμμορίας (FHG i 361). According to this view, the change in the number of tribes from four to ten involved a change in the number of ναυκραρία from 48 (12 × 4) to 50. If the normal number of demes recognised by Cleisthenes was 100, it would follow from this that he combined every two demes into a ναυκραρία (Schömann, *Ant.* p. 370 E.T.); or rather that he transferred the duties of each ναυκραρία to a pair of contiguous demes. The importance of the *Naucrariae* naturally did not remain the same as it had formerly been, and we hear in particular that the business which had once belonged to the *Naucrari* now passed to the Demarchs (*ib.* p. 370, on the authority of quotations from this passage in Harpocration &c.).

In the passage above cited from Photius Mr P. Giles (*English Historical Review*, 1892, p. 331) proposes, instead of πεντήκοντα (i.e. N) μέρη, to read τριάκοντα (i.e. A) μέρη, and to identify these μέρη with the τριτύς. He also assumes that this sentence was followed by a clause referring to the δήμοι. He is doubtless justified in adding that this treatise gives no direct support to the view that the ναυκραρία consisted of two δήμοι.

The Peripatetic, Demetrius Phalereus (Müller, FHG, ii 363), ascribed the establishment of demarchs not to Cleisthenes but to οἱ περὶ Σόλωνα (Newman).

ἀντὶ τῶν ναυκραριῶν ἐποίησεν. προσηγόρευσε δὲ τῶν δῆμων τοὺς μὲν ἀπὸ τῶν [τ]όπ[ων], τοὺς δὲ ἀπὸ τῶν κτισάντων· οὐ γὰρ ἅπαν-
 23 τες ὑπῆρχον ἔτι τοῖς τόποις. τὰ δὲ γένη καὶ τὰς φρατρίας καὶ τὰς 6

22 ἅπαντες ὑπῆρχον ἔτι (κ, κ-w); EN| pro ἔτι Berol. (B, qui etiam in papyro London. EN legendum suspicatur; certe litteris valde obscuris ETI indicatur): ἅπασιν κτλ coniecit K (J B Mayor); ἅπασιν ὑπῆρχεν ὀνόματα Bury (H-L); etiam ἅπαντες <οἱ κτισάντες> ὑπῆρχον ἔτι τοῖς τόποις coniecerat Bury. 23 ΦΑΤΡΙΔC, idem habet corr. Berol.

προσηγόρευσε—κτισάντων] ‘He named some of the demes from their localities, and some from their founders.’ Demes were already in existence before Cleisthenes; but they were now recognised as component parts in the new constitutional order, and had their names fixed by official sanction. Many of them had *local* designations derived either from natural features (Ποταμός, Κηφισία, Ἐπικηφισία, Δειράδες, Ἀλιμοῦς), or places in their neighbourhood (Οἶον Δεκελεικόν, Οἶον Κεραμεικόν), or plants or trees that grew there (Μαραθῶν, Ῥαμνοῦς, Μυρρινοῦς, Ἀγνοῦς, Ἀχερδοῦς, Ἰτέα, Ἐλαιοῦς, Ἐρίκεια, Θρία, Πρασίαι, Πτελέα, Φηγοῦς). Among other local designations may be mentioned Οἰνότη, Βῆσα, Λαμπραῖ, Ἐλευσίς. Cf. Etym. Magn. s. v. Ἐλεῖς:... ἡ ἀπὸ τῶν τόπων, ἡ ἀπὸ τῶν παρακειμένων αὐτοῖς, ἡ ἀπὸ τῶν ἐν αὐτοῖς φυτῶν, ἡ ἀπὸ τῶν ἐν αὐτοῖς χειροτεχνῶν, ἡ ἀπὸ τῶν οἰκησάντων (οἰκισάντων Leake) ἀνδρῶν καὶ γυναικῶν, and Schol. Aristoph. *Plut.* 586.

Other demes were named ‘from their founders,’ i.e. from one of the ‘hundred heroes’ or eponymous founders of the demes (Herodian, quoted on § 3). The names of these are collected by Sauppe, *De Demis Urbanis*, p. 4 ff.; but since many of them are obviously coined from the names of the demes, it is in these cases inaccurate to describe the demes as designated after their founders. Many of the demes were called after distinguished *gentes* who held property in them (e.g. Butadae, Thymaetadae, Cothocidae, Perithoadae, Semachidae, Scambonidae, Colleidae). There are as many as 30 such demes (25 of them are given in Grote, c. 10, ii 273 n.); and it has been suggested that all of these were constituted by Cleisthenes. ‘It seems that Kleisthenes’ (says Grote, l. c.) ‘recognised a certain number of new demes to which he gave names derived from some important *gens* resident near the spot. It is thus that we are to explain the large number of Kleisthenean demes that bear patronymic names.’ If, under Cleisthenes, the number of demes

was 100, it follows that before his time 70 demes were already in existence. (Cf. Smith, *Dict. Ant.* s. v. *Demus*.) ‘The demes named after *gentes* are situated mainly in that part of the country which has been assigned to the *Phyle* of the Geleontes, and where accordingly the greater number of noble families and the most important of them lived’ (Schömann, *Ant.* p. 366 n. E.T.). It is not impossible that τῶν κτισάντων is meant to include the ancestors of these families as well as the ‘eponymous heroes’; but the distinction is immaterial, as a deme might readily regard, as its eponymous hero, the founder of the family from which it derived its name.

οὐ γὰρ—τοῖς τόποις] ‘for (from the time of Cleisthenes) the demes were no longer called in all cases from the localities’ (understanding προσαγορευθέντες from προσηγόρευσε); i.e. they then ceased to be in every instance designated by ‘local’ names. These old ‘local’ names had often been derived from the villages or hamlets included within the limits of the deme as constituted by Cleisthenes. Many of these were superseded by gentile or patronymic or heroic names,—names derived ἀπὸ τῶν κτισάντων. οὐ γὰρ ἔτι is inconsistent in sense with ὑπῆρχον, unless the latter is made to mean little more than ἦν. Possibly the sentence implies that (even in the time of Cl.) the demes had already lost their local designations, and had received names derived from persons instead. Cl. gave official recognition to both classes of names, local and personal. Poland translates as follows: *Denn nicht alle Gaue entsprachen mehr den alten Namen der Örtlichkeiten*, adding in a note, that, in naming the new demes, Cl. availed himself of the old names, but had often, for example, to break up an old deme into several divisions and thus create new names. Blass reads ἐν τοῖς τόποις, with the following interpretation: *non omnes demi erant inter vicos qui iam exstant; itaque multos ab heroibus appellavit*.

ἱερωσύνας εἶασεν ἔχειν ἐκάστους κατὰ τὰ πάτρια. ταῖς δὲ φυλαῖς
ἐποίησεν ἐπώνυμ[ους] ἐκ τῶν προκριθέντων ἐκατὸν ἀρχηγετῶν οὓς 25
ἀνείλεν ἢ Πυθία δέκα.

24 ἱΕΡΩCΥΝΑC (κ, H-L, B): ἱερωσύνας K-W, Meisterhans, p. 36². 25 ΕΠΩ-
ΝΥΜΟΥC Berol.; idem coniecerant J B Mayor, Richards: ἐπώνυμ[ιας] κ¹.

25—26 Etym. M. ἐπώνυμοι (locus infra exscriptus).

§ 6. τὰ δὲ γένη—πάτρια] The parallel passage in the *Politics*, 1319 b 20, quoted on p. 78, implies that Cleisthenes increased the number of the phratries (and it was so understood by Buermann, *Fahrh. f. kl. Phil.* Suppl. Bd. ix 1878, 597 sqq.). The text states that he allowed every one to remain in his former phratría. It was once held by Busolt (*Gr. Gesch.* i 394, note 5, after Landwehr, *Philologus*, Suppl. Bd. v 168) that the reference to the phratries in the passage in the *Politics* did not necessarily apply to Athens, but to Cyrene, which is mentioned in the same passage; and with this view Mr W. R. Paton agrees (*Class. Rev.* v 221 b). See also Duncker, *G. d. A.* vi 591 note. Busolt, however, has since admitted that the φρατρίαι are those of Athens (I. Müller's *Handbuch*, iv 1, p. 144 note 11); he adds that the present passage (as represented in the Berlin fragment) implies that the principle of the organisation of the phratries according to γένη remained unchanged. 'Probably the phratries before the time of Cleisthenes were larger bodies which, on the occasion of his reforms, were broken up into smaller portions. The number of the phratries is unknown; but they must have been more than 12' (*ib.*).

The present passage has been held to be 'somewhat out of harmony' with that in the *Politics*, and the question has been asked whether the statement as to priest-hoods can be easily reconciled with the fact that Cleisthenes converted a number of private worships into a few public ones' (Mr W. L. Newman, in *Class. Rev.* v 162 a). If we are compelled to choose, one would prefer the definite statement in the text to the inference drawn from the less definite statement in the *Politics*, not to mention the disturbing influence of the mention of Cyrene in that passage. The two statements may, however, be reconciled. I take the text to refer to those who were already citizens connected with existing γένη and φρατρίαι. Cleisthenes allowed all these to continue as of old in their respective γένη and φρατρίαι, with their religious

institutions intact. Among these institutions would be (1) the sacrificial rites performed by the φυλοβασιλείς, who survived the change from four tribes into ten (8 § 3; 57 end); and (2) the hereditary priest-hoods such as those held by the Eumolpidae, Kerykes and Eteobutadae. Cf. *Lex. Dem. Patm.* p. 152, Sakkelion, (of the 30 γεννηταί) ὧν αἱ ἱερωσύнай ἐκάστοις προσήκουσαι ἐκληροῦντο, οἷον Εὐμολπίδαι καὶ Κήρυκες καὶ Ἐτεοβουτάδαι, ὡς ἱστορεῖ ἐν τῇ Ἀθ. πολ. Ἀριστοτέλης κτλ. (Rose, *Frag.* 385³).

In contrast to the existing citizens there were a number of other persons who had hitherto not belonged to that body and therefore had no γένη. These are the νεοπολῖται of § 4. It was for these that Cleisthenes provided new φρατρίαι. At the same time he absorbed many of the minor local cults into public festivals held at Athens.

In *Class. Rev.* v 222 b, Mr W. R. Paton observes that the νεοπολῖται could not be received into the γένη, all the members of which were allied (or supposed to be allied) by blood; but he considers that they could be received into the phratries, each of which was a group of γένη not claiming a blood-relationship with each other and therefore more elastic. He assumes that Cleisthenes did not increase the number of phratries; whereas it is not improbable that he did, and there is nothing in the present passage to prove that he did not.

ταῖς δὲ φυλαῖς—δέκα] In Etym. M., s. v. ἐπώνυμοι, after mention of the ἐπώνυμοι τῶν ἡλικίων (c. 53), we have, contrasted with these, οἱ δέκα ἀφ' ὧν αἱ φυλαὶ προσηγορεύθησαν, οἷον Ἐρεχθεύς, Αἰγυεύς, Πανδίων, Λεῶς, Ἀκάμας, Οἰνεύς, Κέκροψ, Ἰπποθῶν, Ἀίας, Ἀντίοχος· ταῦτα δὲ τὰ δέκα ὀνόματα ἀπὸ ρ' (=ἐκατὸν, codices ἀπὸ ροῖς) ὁ Πύθιος εἰλετο, Κλεισθένους οὕτω διαταξαμένον τὸ πᾶν πλῆθος εἰς δέκα φυλάς. Cf. *Lex. Dem. Patm.*, p. 15, Sakkelion (*Bull. de corr. hellén.* 1877), ... τοῦ θεοῦ τοῦτο χρῆσαντος... τοῦτους γὰρ ἐξ ὀνομάτων ἐκατὸν ὁ θεὸς ἐξελέξατο, and Schol. Aristid. iii 331, 20 Dind. This is one of several instances in which the influence

22. τούτων δὲ γενομένων δημοτικώτερα πολ[ὺ τῆς Σ]όλωνος ἐγένετο ἢ πολιτεία· καὶ γὰρ συνέβη τοὺς μὲν Σόλωνος νόμους ἀφανίσαι τὴν τυραννίδα διὰ τὸ μὴ χρῆσθαι, καινοὺς δ' ἄλλους θεῖναι τὸν Κλεισθένην στοχαζόμενον τοῦ πλήθους, ἐν οἷς ἐτέθη καὶ 2 ὁ περὶ τοῦ ὀστρακισμοῦ νόμος. πρῶτον μὲν οὖν ἔτει †πέμπτῳ† μετὰ ταύτην τὴν κατάστασιν ἐφ' Ἑρμοκρέοντος ἄρχοντος τῇ βουλῇ τοῖς πεντακοσίοις τὸν ὄρκον ἐποίησαν, ὃν ἔτι καὶ νῦν ὁμνύ-

XXII 3 κ(αι)ΝΟΥC? (καί...Berol.), K-W, K³, B: [νόμ]ους H-L. 4 ΚΛΕΙΘΕΝΗ (K, K-W, H-L, B). 5 †πεμπτῳ†, an ὀγδόῳ? K. 6 ΕΡΜΟ|ΚΡΕΟΝΤΟC (K).

TESTIMONIA. XXII 5—39 Heraclidis epitoma (Rose, Frag. 611, 4³): καὶ τὸν περὶ ὀστρακισμοῦ νόμον εἰσηγήσατο, ὃς ἐτέθη διὰ τοὺς τυραννιδώτας. καὶ ἄλλοι τε ὠστρακίσθησαν καὶ Ξάνθιππος καὶ Ἀριστείδης.

of the Alcmaeonidae with the oracle at Delphi was of important consequences to Athens.

ἀρχηγεῶν] The ἐπώνυμοι are themselves called ἀρχηγέται in Aristoph. Frag. 186 Dind. (παρὰ τοὺς ἀρχηγέτας), ap. Bekk. *Anecd.* i 449: ἀρχηγέται· ἡγεμόνες οἱ ἐπώνυμοι τῶν φυλῶν.

XXII. *Ostracism.*

§ 1. στοχαζόμενον τοῦ πλήθους] *Pol.* vi (iv) 12, ἀν...ὀλιγαρχικοὺς τοὺς νόμους τιβῇ στοχάζεσθαι χρὴ τῶν μέσων.

ὀστρακισμῷ] Our knowledge of the procedure in cases of ostracism is founded on a fragment of Philochorus 79 b (FHG i 396), in the Appendix to Photius, p. 675 Porson: προχειροτονεῖ μὲν ὁ δῆμος πρὸ τῆς ἡ πρυτανείας (see c. 43 § 5), εἰ δοκεῖ τὸ ὀστρακον εἰσφέρειν· ὅτε δὲ δοκεῖ, ἐφράσσεται σάνισιν ἡ ἀγορὰ καὶ κατελείποντο εἰσοδοὶ δέκα, δι' ὧν εἰσίνοντες κατὰ φυλάς ἐτίθεσαν τὰ ὀστρακα, στρέφοντες τὴν ἐπιγραφὴν. ἐπεστάτων δὲ οἱ τε ἐννέα ἄρχοντες καὶ ἡ βουλὴ· διαριθμηθέντων δὲ ὅτῳ πλείστα γένοιτο καὶ μὴ ἐλάττω ἐξακισχίλιων, τοῦτον ἔδει τὰ δίκαια δόντα καὶ λαβόντα ὑπὲρ τῶν ἰδίων συναλλαγμάτων ἐν δέκα ἡμέραις μεταστήναι τῆς πόλεως ἕτη δέκα (ὑστερον δὲ ἐγένοντο πέντε) καρπούμενον τὰ ἑαυτοῦ μὴ ἐπιβαίοντα ἐντὸς Γεραιστοῦ (Dobree's correction of πέρα τοῦ) Εὐβοίας ἀκρωτηρίου· μόνος δὲ Τερέβολος ἐκ τῶν ἀδόξων δοκεῖ ἔξοστρακισθῆναι διὰ μοχθηρίαν πρόπων, οὐ δὲ ὑποψίαν τυραννίδος· μετὰ τοῦτον δὲ κατελύθη τὸ ἔθος, ἀρξάμενον νομοθετήσαντος Κλεισθένης, ὅτε τοὺς τυράννους κατέλυσε, ὅπως συνεβάλη καὶ τοὺς φίλους αὐτῶν. According to Ephorus and Theopompus the object of ostracism was to check ὑπεροχὴ (cf. Diod. xi 55, Nepos, *Them.* 8, *Cimon* 3; Plut. *Arist.* 7, *Them.* 22, *Nic.* 11, *Alcibi.* 13). This opinion is shared by Ar. *Pol.* iii 13, 1284 a 17 and

36, and viii (v) 3, 1302 b 15. The checking of ὑπεροχὴ may well have been its original purpose, but in process of time it was made the means of preventing mischief arising from στάσεις by suppressing the leader of the opposition and leaving the majority free to carry out their wishes without hindrance. See Grote, c. 31; Busolt, i 620, and in Müller's *Handbuch*, iv 1, 121; Lugebil, *Das Wesen und die historische Bedeutung des Ostrakismos in Athen*, in *Jahrb. f. cl. Phil.* Suppl. Bd. iv, 119—175; Gilbert, *Gr. St.* i 446—6; Abbott's *Hist. of Gr.* i 481—3; and Smith, *Dict. Ant.* s. v.

§ 2. ἔτει πέμπτῳ] The text, as it stands, implies 504/3 B.C., four years after the archonship of Isagoras, 508/7. But the archon of 504/3 is already known, *Acestorides* (Dionys. v 37), and not *Hermocreon*. The year is the 12th before the battle of Marathon 490/489, and must therefore be 501/0, the archon of which year has not hitherto been known. It is just conceivable that the reforms of Cleisthenes may have taken three years to get into complete shape, but nothing is said to this effect in the text, and it seems therefore necessary (as suggested by Mr Kenyon) to alter the 5th year into the 8th (ἐ into ἡ).

τοῖς πεντακοσίοις] So called to distinguish it from the Council of the Areopagus. The addition of these words is not inappropriate here, as the establishment of the Council of 500 was one of the recent reforms.

τὸν ὄρκον] Xen. *Mem.* i 1 § 18, τὸν βουλευτικὸν ὄρκον ὁμόσας, ἐν ᾧ ἦν κατὰ τοὺς νόμους βουλευέσθαι. Lys. 31 § 1, ὁμόσας εἰσηλθόντες εἰς τὸ βουλευτήριον τὰ βέλτιστα συμβουλεύσασθαι τῇ πόλει, ἐνεστί τε ἐν τῷ ὄρκῳ ἀποφαίνειν εἰ τίς τινα οἶδε

ουσιν' ἔπειτα τοὺς στρατηγοὺς ἡροῦντο κατὰ φυλάς, ἐξ ἑκάστης <τῆς> φυλῆς ἓνα, τῆς δὲ ἀπάσης στρατιᾶς ἡγεμῶν ἦν ὁ πολέμαρχος.
 3 ἔτει δὲ μετὰ ταῦτα δωδεκάτῳ νικήσαντες τὴν ἐν Μαραθῶνι μάχην 10
 ἐπὶ Φαινίππου ἄρχοντος, διαλιπόντες ἔτη δύο μετὰ τὴν νίκην,
 θαρροῦντος ἤδη τοῦ δήμου, τότε πρῶτον ἐχρήσαντο τῷ νόμῳ τῷ
 περὶ τὸν ὁστρακισμόν, ὃς ἐτέθη διὰ τὴν ὑποψίαν τῶν ἐν ταῖς δυνά-

8 ἑκάστης <τῆς> φυλῆς B, [...φυ]λῆς ἑκάστ[ης] Berol.
 K.-W.

13 τοῦ ὁστρακισμού

12—17 Harp. "Ἰππαρχος (locus infra exscriptus).

τῶν λαχόντων ἀνεπιτήδειον ὄντα βουλευεῖν.
 [Dem.] 59 § 4, ὁμωμοκῶς τὰ βέλτιστα
 βουλευέσκειν τῷ δήμῳ τῶν Ἀθηναίων. In
 Solon's time the βουλή swore τοὺς Σόλωνος
 νόμους ἐμπεδῶσειν (Plut. Sol. 25).

The oath included a clause, οὐδὲ δῆσω
 Ἀθηναίων οὐδένα, ὃς ἂν ἐγγυητὰς τρεῖς
 καθιστῇ τὸ αὐτὸ τέλος τελούντας, πλὴν ἑάν
 τις ἐπὶ προδοσίᾳ τῆς πόλεως ἢ ἐπὶ κατα-
 λύσει τοῦ δήμου συνῶν ἄλλῳ, ἢ τέλος τι
 πριάμενος ἢ ἐγγυησάμενος ἢ ἐκλέγων μὴ
 καταβάλλῃ (Dem. 24 § 144). Arist.
 Thest. 943, ἔδοξε τῇ βουλῇ σέε δεῖν. Dem.
 ib. 148 refers the ὅρκος βουλευτικὸς to
 Solon; but it was the Areopagus that had
 cognisance of high treason assigned to it
 by Solon (c. 8 § 4), and presumably did
 not lose it until B.C. 462/1 (c. 25 § 2).
 The statement that the oath in the times
 of Cleisthenes was the same as that in
 the times of the writer seems inconsistent
 with the account in c. 45, where we are
 told that the βουλή had meanwhile lost
 the right of imprisoning, &c. (Wyse).

στρατηγούς ἡροῦντο] Grote observes
 that 'there were now created, for the
 first time, ten *stratēgai* or generals, one
 from each tribe... The ten generals,
 annually changed, are thus (like the ten
 tribes) a fruit of the Kleisthenean con-
 stitution' (c. 31, iii 116). Plut. *Aristid.* 5,
 τῶν δέκα καθεστώτων τοῖς Ἀθηναίοις ἐπὶ
 τὸν πόλεμον στρατηγῶν. Them. 6 § 1,
 τῶν Ἀθηναίων βουλευομένων περὶ στρατη-
 γοῦ, where mention is made of χειρο-
 τονία (Busolt, i 616, n. 3). Unless we
 are prepared to accept the 'Draconian
 constitution' of c. 4, there is no reason
 for departing from the ordinary view that
 the institution of the στρατηγοὶ dates from
 the time of Cleisthenes.

τῆς ἀπάσης στρατιᾶς ἡγεμῶν—πολέ-
 μαρχος] 'Even after the *stratēgai* had
 been created, under the Kleisthenean
 constitution, the polemarch still retained
 a joint right of command along with them
 —as we are told at the battle of Marathon,

where Kallimachus the polemarch not
 only enjoyed an equal vote in the council
 of war along with the ten *stratēgai*, but
 even occupied the post of honour on the
 right wing' (Hdt. vi 109—111; Grote,
 l. c.). In still closer accordance with
 the fresh evidence of the text, Busolt, i
 616, observes: *der Polemarchos zog nach
 wie vor an der Spitze des Heeres aus der
 Stadt.*

§ 3. διαλιπόντες ἔτη δύο] i.e. in B.C.
 488/7. Pol. 1299 a 37, τοὺς μὲν διαλείπειν
 πολὺν χρόνον, Hist. Anim. 523 a 8, δ. ἐν
 ἔτος.

θαρροῦντος—τοῦ δήμου. The con-
 nexion here and elsewhere established
 (cc. 24, 27) 'between moments of elation
 and self-confidence at Athens and con-
 stitutional changes for the worse' may be
 compared with Isocr. *Areop.* § 3 *sqq.* and
Panath. § 133 (W. L. Newman, *Class.
 Rev.* v 161 a).

περὶ τὸν ὅστρ.] c. gen. in § 1. 'Ad
 significandam eam rem, de qua agitur ac
 disputatur, περὶ etiam c. acc. ita usurpatur
 ut ab usu praep. περὶ c. gen. non videatur
 discerni posse, veluti... Pol. 1300 a 8, 9;
 1322 b 30, 31, 1286 b 34 et 1287 a 1; *Rhet.*
 1414 a 28, 1418 a 2' *Ind. Ar.*

ἐτέθη διὰ τὴν ὑποψίαν—Ἰππαρχος
 Χάρμων] Archon in 496/5. Harpocr. s. v.
 Ἰππαρχος... ἄλλος δὲ ἐστὶν Ἰππαρχος ὁ
 Χάρμων, ὃς φησὶ Λυκοῦργος ἐν τῷ κατὰ
 Λεωκράτους (§ 117, Ἰππαρχον τὸν Τιμάρχου,
 who, in his absence, was condemned to
 death for προδοσία; nothing else is known
 of him and it is not impossible that
 Τιμάρχου in Lycurgus may be a mistake
 for Χάρμων)· περὶ δὲ τούτου Ἀνδροτίων ἐν
 τῇ β' (frag. 5) φησὶν ὅτι συγγενὴς μὲν ἦν
 Πεισιστράτου τοῦ τυράννου καὶ πρῶτος
 ἐξωστρακίσθη τοῦ περὶ τὸν ὁστρακισμόν
 νόμου τότε πρῶτον τεθέντος διὰ τὴν ὑπο-
 ψίαν τῶν περὶ Πεισίστρατον, ὅτι δημα-
 γωγὸς ὢν καὶ στρατηγὸς ἐτυράννησεν.

It will be observed that language
 almost identical with the text is quoted

μεσιν, ὅτι Πεισίστρατος δημαγωγὸς καὶ στρατηγὸς ὢν τύραννος
 15 κατέστη· καὶ πρῶτος ὡστρακίσθη τῶν ἐκείνου συγγενῶν Ἰππαρχος 4
 Χάρμου Κολλυτεύς, δι' ὃν καὶ μάλιστα τὸν νόμον ἔθηκεν ὁ Κλει-
 σθένης, ἐξελάσαι βουλόμενος αὐτόν. οἱ γὰρ Ἀθηναῖοι τοὺς τῶν
 τυράννων φίλους, ὅσοι μὴ συνεξημάρτανον ἐν ταῖς παραχαῖς, εἰων
 οἰκεῖν τὴν πόλιν, χρώμενοι τῇ εἰωθυίᾳ τοῦ δήμου πραότητι· ὢν
 20 ἡγεμὼν καὶ προστάτης ἦν Ἰππαρχος. εὐθύς δὲ τῷ ὑστέρῳ ἔτει 5
 ἐπὶ Τελεσίνου ἄρχοντος ἐκνάμευσαν τοὺς ἐννέα ἄρχοντας κατὰ

14 οτε: ὅτι (K, H-L, B); ὁ γὰρ K-W. ΔΑΡΤΑΝΟΝ: συνεξημάρτανον K, K-W¹, B; συνεξαμαρτάνοιεν Poste (H-L, et omisso ἐν K-W²). 19 ΠΡΑΟΤΗΤΙ (K); cf. 16, 5 et 35. cf. 34 § 2.

16 ΚΟΛΥΤΤΕΥΣ.

18 CΥΝΕΖ-

by Harpocration from the Ἀτθίς of Androtion. The historian of that name is almost certainly identical with the orator attacked in Dem. κατὰ Ἀνδροτίωνος, in 355 B.C. He had then been a prominent politician for 30 years (Dem. l. c. § 66). The authorities in favour of this identification are Westermann, and Arnold Schaefer; against it are Ruhnken, Dindorf and C. Müller (FHG, i p. lxxxiii) and recently M. Weil, *Journal des Savants*, 1891, p. 203. All the extant quotations from the Ἀτθίς (except the present) 'just cover the period of Androtion's political career, and a few more years which he may have passed in exile: the latest event noticed is the διαψήφισις .. in B.C. 346-5.' He probably left Athens soon after B.C. 355, retired to Megara, and there wrote his Ἀτθίς in the enforced leisure of banishment, Plut. *de exil.* 14, p. 605 c, (συνέγραψεν) Ἀνδροτίων Ἀθηναῖος ἐν Μεγάροις (Wayte, Dem. *Androt.* p. xlix, l). If the present work was written about 325 B.C., the passage in the text may well have been borrowed from Androtion, who was probably no longer alive at the time. If he began public life at 30, he must have been born in B.C. 415 (355 + 30 + 30) and, if alive, would have been 90 at the date assumed for the present work.

δημαγωγός] *Pol.* 1305 a 7, ἐπὶ δὲ τῶν ἀρχαίων, ὅτε γένοιτο ὁ αὐτὸς δημαγωγὸς καὶ στρατηγός, εἰς τυραννίδα μετέβαλλον· σχεδὸν γὰρ οἱ πλείστοι τῶν ἀρχαίων τυράννων ἐκ δημαγωγῶν γεγόνασιν, and (on Peisistratus in particular) *ib.* 1310 b 27; Isocr. *Panath.* 148; Dio Chrys. i 303, 13 D.

§ 4. πρῶτος ὡστρακίσθη κτλ.] Plut. *Nic.* 11, πρῶτος δ' (ἐξωστρακίσθη) Ἰππαρχος ὁ Χολαργεύς (probably a mistake for

Κολλυτεύς, or for Χάρμου) συγγενής τις ὢν τοῦ τυράννου. According to Cleitodemus, ap. Athen. 609 c, Hippias had married a daughter of Charmus.

τῇ εἰωθυίᾳ τοῦ δήμου πραότητι] Dem. *Timocr.* 51, ὁ τὸν νόμον τοῦτον...θεῖς ἤδει τὴν φιλανθρωπίαν καὶ πραότητα τὴν ὑμετέραν. It may be doubted whether any such praise as that of πραότης is ever ascribed to the δήμος in the extant works of Ar.

§ 5. τῷ ὑστέρῳ ἔτει] In 34 § 2 we have τῷ ὑστερον ἔτει. In 42 § 4 τὸν ὑστερον (ἐνιαυτὸν) is contrasted with τὸν πρῶτον and the former is found in 45 § 3.

ἐπὶ Τελεσίνου ἄρχοντος] The last date mentioned having been 488 B.C. (i.e. 'two years after Marathon'), the archonship of T. may be placed in 487/6. The only years after B.C. 496 (down to 292) for which the archons are not already known are 487 and 486. 482 may be assigned to Themistocles, and 481 to Hysichides (c. 22 end).

ἐκνάμευσαν τοὺς ἐννέα ἄρχοντας κτλ.] Under the Solonian constitution (c. 8) the archons had been appointed by lot out of forty candidates nominated by the four tribes. From the close of the τυραννίς the archons had been elected (οἱ δὲ πρότεροι πάντες ἦσαν αἰρετοί), by whom we do not know, possibly (as Mr Kenyon suggests) by the ἐκκλησία. The general principle of the Solonian system was now revived by introducing a combination of selection and sortition.

The successive changes in the method of election to this office (as summed up by Mr Kenyon) were as follows: (1) the archons were originally nominated by the Council of the Areopagus, c. 8 § 2; (2) under the 'Draconian constitution' they were elected by the general body of

φυλάς, ἐκ τῶν προκριθέντων ὑπὸ τῶν δημοτῶν πεντακοσίῳν, τότε μετὰ τὴν τυραννίδα πρῶτον, (οἱ δὲ πρότεροι πάντες ἦσαν αἰρετοί)·
6 καὶ ὠστρακίσθη Μεγακλῆς Ἴπποκράτους Ἀλωπεκῆθεν. ἐπὶ μὲν 24

22 τῶν δημοτῶν πεντακοσίῳν (K, K-W, B): τοῦ δήμου ἐκ τῶν πεντακοσιομεδίωνων
J W Headlam, τοῦ δήμου πεντακοσιομεδίωνων H-L. TOIC (πεντεκαικιστοῦ ἔτει
Weil): τότε Blass, K-W, H-L, K³.

citizens (c. 4 § 2); (3) under the Solonian constitution, they were in ordinary course appointed by lot from forty candidates selected by the four tribes (c. 8 § 1); (4) under the *tyrannis* this system was perhaps practically in abeyance, though nothing had been formally done to repeal appointment by lot (Peisistratus, son of Hippias was archon, Thuc. vi 54, and there was always one of the ruling house holding office); (5) under the constitution of Cleisthenes they were elected by the ecclesia (οἱ δὲ πρότεροι πάντες ἦσαν αἰρετοί); (6) from 487 B.C. they were appointed by lot from 100 (or 500) candidates selected by the tribes; (7) subsequently, from an uncertain date down to the time of the writer, the lot was applied to the preliminary nomination by the tribes as well as to the actual appointment (c. 8 § 1).

As appointment to the archonship by lot was apparently done away with by Cleisthenes in 508, and was re-introduced in 487, it follows that the archons in 490 were not appointed by lot, and that Herodotus was therefore mistaken in describing the polemarch of that year as ὁ τῷ κνᾶμῳ λαχὼν (vi 109). This had already been maintained by Grote (c. 31, iii 126), Busolt (ii 338) and others, and their opinion is now found to be correct. Cf. Lugebil in *Fahrh. f. class. Philol.*, Suppl. Bd. v 564—699; Holm, *Gr. Gesch.* ii 140, note 18.

Aristides was archon in 489 when the office was still elective, yet Demetrius Phal. makes him archon in 478, and, consistently with this, describes him as κνᾶμῳ λαχὼν (Plut. *Arist.* i, 5). On the other hand, Idomeneus (fl. B.C. 310—270), having in view the archonship of 489, as it appears correctly, speaks of him as having held office οὐ κναμεντὸν ἀλλ' ἐλομένῳ Ἀθηναίων. It was Aristides who, shortly after the battle of Plataea, carried a proposal that they should thenceforth choose (αἰρεῖσθαι) the ἀρχοντες (in the widest sense of the term) from all the Athenians alike. Duncker, *G. d. A.* vi 593, holds that it was on this occasion that appointment by lot was introduced:

before it, we find the office of archon filled by leading statesmen; not so, afterwards. He also holds that the reforms of Cleisthenes did not touch the method of appointing the archons.

There is a difficulty as to the persons by whom the preliminary selection was made. The text, as it stands in the MS, speaks of them as 500 selected by the members of the demes. The practice down to the writer's time was for each tribe to nominate ten by lot, or 100 in all (c. 8). Now if each tribe ever nominated 50, it is improbable that its privilege would be reduced to that of nominating 10. Hence Mr Kenyon proposes to alter 500 (ϕ') into 100 (ρ').

It seems possible that Demetrius Phal. accepted this date (B.C. 487) for the introduction of the lot: he placed the archonship of Aristides the year after Plataea (Plut. *Arist.* c. 1 and 5) and spoke of ἡ ἐπώνυμος ἀρχὴ ἣν ἤρξε τῷ κνᾶμῳ λαχὼν ἐκ τῶν γενῶν τῶν τὰ μέγιστα τιμήματα κεκτημένων οὓς πεντακοσιομεδίμους προσηγόρευον (ib. c. 1): the admission of *ιππεῖς* then, according to Demetrius, is after 478. We see now that there is not necessarily any conflict between Idomeneus of Lampsacus and Demetrius, except as to the year when Aristides was archon. Idomeneus, like Plutarch, may have assigned Aristides to the year after Marathon (ib. c. 5): in which case his statement (ib. c. 1 ἀρξαι γε τὸν Ἀριστείδην οὐ κναμεντὸν ἀλλ' ἐλομένῳ Ἀθηναίων) agrees with the 'Αθ. Πोल.' (Wyse).

Μεγακλῆς] son of Hippocrates (Hdt. vi 131), grandson of Megacles (the opponent of Peisistratus c. 14 and 15), and nephew of Cleisthenes. Through his sister, Agariste, he was the uncle of Pericles. There was another Megacles in the same generation (victor in the Pythian games, Pind. *Pyth.* vii 15), a son of Cleisthenes, and grandfather of Alcibiades. The ostracism of this second Megacles is mentioned in Lysias, *Alc.* 14 § 39. According to Pindar (*l. c.*) the house of Megacles was subject to φθόνος on account of its εὐπραγία.

It is remarkable that an institution

25 οὖν ἔτη τρία τοὺς τῶν τυράννων φίλους ὥστράκιζον, ὧν χάριν ὁ νόμος ἐτέθη, μετὰ δὲ ταῦτα τῷ τετάρτῳ ἔτει καὶ τῶν ἄλλων εἴ τις δοκοίη μείζων εἶναι μεθίστατο· καὶ πρῶτος ὥστρακίσθη τῶν ἄπωθεν τῆς τυραννίδος Ξάνθιππος ὁ Ἀρίφρονος. ἔτει δὲ τρίτῳ 7

N

27 ΜΕΘΙΣΤΑΤΟ: μεθίστατο B, -ισταντο ceteri.

founded by Cleisthenes should have thus been brought into play against his son and his nephew. According to Aelian, *Var. Hist.* xiii 24, Cleisthenes himself was ostracised, but of this there is no proof. As to the ostracism of the nephew there is no doubt. Even one of the pieces of pottery used in voting on the question has been found. It bears the name of Μεγακλῆς [*Ἱπποκράτους Ἀλωπεκῆθεν* (published in Benndorf's *Gr. u. Sic. Vasenbilder* p. 50, pl. 29, no. 10)]. It is a fragment of black-glazed ware, apparently cut into a circular form for the purpose. It was discovered in the pre-Persian stratum to the E. of the Parthenon (*Class. Rev.* v 278 a). CIA iv 3 no. 569.

§ 6. ἔτη τρία] Mr Kenyon holds that the three years are B.C. 489—87, i.e. the two after the battle of Marathon and the year in which Hipparchus son of Charmus was ostracised; but, unless we press the meaning of the imperfect ὥστράκιζον, and apply it to the purpose and desire of the people, rather than to their acts, it seems better to consider the period of three years to begin with that in which Hipparchus was banished, i.e. 488/7. Thus the three years would be B.C. 488/7, 487/6 and 486/5. Then the ostracism of Xanthippus, τῷ τετάρτῳ ἔτει, would be in 485/4 and 'the third year after this,' 483/2, the archonship of Nicodemus, which is in accordance with the chronology adopted in Clinton's *Fasti. ἐν τοῦτοις τοῖς καιροῖς* (i.e. not necessarily under Nicodemus, but in the previous year 484/3) Aristides was banished; and, in the 'fourth year after,' he was recalled, 481/0 (Bauer, p. 59).

τῷ τετάρτῳ ἔτει] 485/4.

εἴ τις δοκοίη μείζων εἶναι] *Pol.* 1302 b 15, στάσις arises ὅταν τις ἢ τῇ δυνάμει μείζων, and the correction of this (says Ar.) was the object of ostracism.

ἄπωθεν τῆς τυραννίδος] *Pol.* ii 3, 1262 a 29, ὧν οὐδὲν δοσιὼν ἐστὶ γίνεσθαι πρὸς πατέρας καὶ μητέρας καὶ τοὺς μὴ πόρρω τῆς συγγενείας ὄντας, ὥσπερ πρὸς τοὺς ἄπωθεν (distant in relationship), iii 9, 1280 b 9, γίνεται γὰρ ἡ κοινωνία συμμαχία τῶν

ἄλλων τόπῳ διαφέρουσα μόνον τῶν ἄπωθεν συμμαχιῶν (alliances, of which the members live apart), *ib.* 18, εἰ τινας οἰκοῖεν χωρὶς μὲν, μὴ μέντοι τοσοῦτον ἄπωθεν (so far off) ὥστε μὴ κοινωνεῖν. 'οἱ ἄπωθεν, syn. οἱ ἀγνώστες, opp. οἱ γνώριμοι, οἱ συνήθεις, οἱ συγγενεῖς.' *Rhet.* i 11, 1371 a 12 οἱ συνήθεις καὶ οἱ πολῖται (μᾶλλον) τῶν ἄπωθεν: c. gen. in Thuc. iii 111 § 1, ἀποθεν τῆς Ὀλπης, Aristoph. *Plut.* 674 ἀποθεν τῆς κεφαλῆς.

Ξάνθιππος ὁ Ἀρίφρονος] During the excavations on the Acropolis in 1886, a fragment of a late black-figured vase was found in the pre-Persian stratum E. of the Parthenon, with the following inscription clearly incised upon it.

ΧΣΑΝΘΙΠΠΟΣ
ΑΡΙΦΡΟΝΟΣ

The fragment was published by Studniczka, *Arch. Jahrb.* 1887, p. 161, who observed that the position in which it was found proved that the ostracism of Xanthippus took place before B.C. 480 (*Class. Rev.* v 277 b). CIA iv 3, 568. In March, 1891, after the first publication of this treatise, another fragment was found at Athens in the ὁδὸς Πιεραιῶς with the first five or six letters of the father's name written (with the double ρ) above that of the son (CIA iv 3, 571).

Xanthippus impeached Miltiades in 490/89 (Hdt. vi 136; Grote, c. 36, iii 312). The present passage shews that his ostracism falls in 485/4, before that of Aristides (484/3). Of its causes we know nothing; but it is natural to suppose that the friends of Miltiades had something to do with it. In 480 Xanthippus left Athens with the other inhabitants at the approach of Xerxes: Plutarch, *Them.* 10, tells the story of his dog, which could not endure to be left behind on this occasion. Xanthippus was the archon of 479 (Diod. xi 27). He commanded the Athenians at Mycale (479, Hdt. ix 114) and at the siege of Sestos (ix 121). By Agariste, daughter of Hippocrates, and sister of the Megacles mentioned above, he became the father

μετὰ ταῦτα Νικοδήμου ἀρχοντος, ὡς ἐφάνη τὰ μέταλλα τὰ ἐν 29

29 ΝΙΚΟΜΗΔΟΥΣ (K-W, H-L, B): Ν(ΙΚΟ)ΔΗΜΟ(Υ) Berol. et Dion. Hal. viii 83 (K). ΕΦΑΝΗ: an ἀπεγράφη? Wyse (*Class. Rev.* v 112); <λυσιτελεστέρα> ἐφάνη Richards (*ib.* 226).

of Pericles (Hdt. vi 131) and Aripbron (Plut. *Alc.* 1, Plat. *Protag.* 320). The elder of the two legitimate sons of Pericles was named after his grandfather, Xanthippus (Plut. *Per.* 24, 36).

§ 7. **ἔτει...τρίτῳ** after 486, would bring us to 484/3 for the archonship of Nicodemus. It was ἐν τούτοις τοῖς καιροῖς that Aristides was ostracised, and in 481/0 all the citizens who had been ostracised were recalled διὰ τὴν **Ξέρξου στρατείαν** (§ 8). But Nicodemus, according to Dionysius Hal. viii 83, p. 1711 Reiske, was archon in the consulship of L. Aemilius Mamercus and K. Fabius, 270 A.U.C. (Cato). In Baiter's *Fasti Consulares* this is identified as A.U.C. 269=B.C. 484. This would support Mr Kenyon's view. See, however, note on § 6, **ἔτη τρία**.

Νικομήδους is the reading in the papyrus; Ν(ΙΚΟ)ΔΗΜΟ(Υ) that of the Berlin fragment, and similarly in Dionysius. Mr Kenyon, perhaps rightly, holds that, in this conflict between the two MSS, 'the authority of Dionysius may turn the scale.'

The name Νικομήδης ('victor in counsel') is formed from **νῆδομαι** in the analogy of 'Ἀγαμήδης, 'Αλιμήδης, 'Αμφιμήδης, 'Ανδρομήδης, 'Αρστομήδης, 'Αστνυμήδης, 'Αυτομήδης, Διομήδης, Εὐμήδης, Εὐρυμήδης, Θεομήδης, Θρασυμήδης, Καλλιμήδης, Κλει(=Κλεο)μήδης, Κλυτομήδης, Λαομήδης, Λυκομήδης, Νεομήδης, Ξενομήδης, 'Ονασσι(=i.e. 'Ονασι)-μήδης, Παλαμήδης, Περιμήδης and Πολυμήδης (Pape-Benseler, *Eigennamen*, p. xxx). It cannot be interpreted as 'conqueror of the Medes,' which would be Μηδόδικος. Similarly, the alternative name Νικόδημος means 'with victorious army or people' *ib.* s. v.

ὡς ἐφάνη τὰ μέταλλα κτλ.] Hdt. vii 144, Ἀθηναῖοι γενομένων χρημάτων μεγάλων ἐν τῷ κοινῷ, τὰ ἐκ τῶν μετὰλλων σφι προσήλθε τῶν ἀπὸ Λαυρείου, ἐμελλον λάξεσθαι ὀρχηδὸν ἕκαστος δέκα δραχμάς. τότε Θεμιστοκλῆς ἀνέγνωσε Ἀθηναίους τῆς διατρέψεως ταύτης πανσαμένους νέας τούτων τῶν χρημάτων ποιήσασθαι ἐς τὸν πόλεμον, τὸν πρὸς Αἰγυπτιᾶς λέγων. (Plut. *Them.* 4, τὴν Λαυρεωτικὴν πρόσδοσιν ἀπὸ τῶν ἀργυρείων μετὰλλων ἔθος ἐχόντων Ἀθηναίων διανεμεσθαι κτλ.) This account, esp. the word **πανσαμένους**, implies that the revenue for the mines had *hitherto* been distributed among the people (to the extent of 10 drachmas a head).

ἐφάνη can only mean 'were discovered,' which may possibly be supported by **εὐρέθη** in Bekker's *Anecdota*, p. 279, **Μαρώνεια: τόπος ἦν τῆς Ἀττικῆς, ὅπου τὰ μέταλλα εὐρέθη**. The mention of the revenue of 100 talents from the works comes somewhat suddenly after the first announcement of the discovery of the mines, and possibly some other word was really written by the author. The author of the tract **περὶ πόρων** implies that they were of immemorial antiquity, but there are indications that they had only recently come into prominence. Aeschylus in the *Persae*, 238, the dramatic date of which is 480 B.C., makes the chorus answer an enquiry of the wife of Darius as to the wealth of Athens by the reply **ἀργύρου πηγὴ τις αὐτοῖς ἐστι, θησαυρὸς χθονός**. 'At what time they first began to be worked,' says Grote (c. 39, iii 406), 'we have no information; but it seems hardly possible that they could have been worked with any spirit or profitable result, until after the expulsion of Hippias and the establishment of the democratic constitution of Kleisthenes.' It is quite conceivable that a very recent discovery of a very productive mine at one particular place, Maroneia, may have given a new importance to the question of the best disposal of the revenue.—It has even been suggested that the mines had originally belonged to Aegina and had been wrested from her by Athens (Mahaffy, *Rambles and Studies in Greece*, p. 163); but neither the text nor the parallel passages in Hdt. and Plut. lend any support to this. The Athenians had to rely on the revenue from the mines to make way against the Aeginetans.

τὰ ἐν Μαρωνείᾳ] 'The mining district, besides the *demi* Anaphlystus, Besa, Amphitrope, and Thoricus, contained several places which were not *demi*, as Laureium, Thrasyllum [**ἐπὶ Θρασύλλῳ**, Dem. 37 § 25, Aeschin. i § 101], Maroneia, Aulon [Aeschin. *l. c.*] (Leake's *Demi*, p. 274). Laurium may have been the general term for the district, derived from its numerous shafts and tunnels, **λαῦραι**, lit. 'narrow passages'. Maroneia may perhaps be identified with some ruins five miles N. of Sunium. In Dem. *Pant.* 37 § 4, Nicobulus and his partner Euergus

30 *Μαρωνεία καὶ περιεγένετο τῇ πόλει τάλαντα ἑκατὸν ἐκ τῶν ἔργων, συμβουλευόντων τινῶν τῷ δήμῳ διανείμασθαι τὸ ἀργύριον, Θεμιστοκλῆς*

30—31 [περιεγένετο] | ἐκ τ[ῶν ἔργων] (vel π. τοῖς | κεκτ[η]μένους) | ἑκατ[ὸν τάλαντα, συμβουλευ[όντων τινῶν] τῇ πό[λει διανείμασθαι τὸ ἀρ]γύριον Berol.

30 Bekk. An. p. 279 *Μαρωνεία*: τόπος ἦν τῆς Ἀττικῆς, ὅπου τὰ μέταλλα εὐρέθη. Harp. s. v.: (Dem. *Panl.* § 4), τόπος ἐστὶ τῆς Ἀττικῆς.

allege that they lent to Pantaenetus 105 minae, ἐπ' ἐργαστηρίῳ τε ἐν τοῖς ἔργοις ἐν *Μαρωνεία καὶ τριάκοντα ἀνδραπόδοις*. On the silver mines of Laurium, see Boeckh's *Dissertation*, pp. 615—678, printed as Appendix to Boeckh's *Public Economy*, trans. Lewis; K. F. Hermann, *Privatalt.* § 14, 17; Büchschütz, *Besitz und Erwerb*, pp. 98—103; *Select Private Orations of Dem.* ed. 2, ii p. 89.

τάλαντα ἑκατὸν κτλ.] Polyaeus, i 30 § 6 (5), Θεμιστοκλῆς ἐν τῷ πρὸς Αἰγινήτας πολέμῳ μελλόντων Ἀθηναίων τὴν ἐκ τῶν ἀργυρίων πρόσδοτον, ἑκατὸν τάλαντα, διανείμασθαι, καλύσας ἐπεισεν ἑκατὸν ἀνδράσι τοῖς πλουσιωτάτοις ἑκάστῳ δοῦναι τάλαντον· κἂν μὲν ἀρέσῃ τὸ πραχθῆσόμενον, τῇ πόλει τὸ ἀνάλωμα λογισθῆναι, ἐὰν δὲ μὴ ἀρέσῃ, τοὺς λαβόντας ἀποδοῦναι. ταῦτα μὲν ἔδοξεν. οἱ δὲ ἑκατὸν ἄνδρες ἕκαστος μίαν τριῆρη κατέστησαν, σπουδῇ χρησάμενοι κάλλους καὶ τάχους. Ἀθηναῖοι καινὸν στόλον ποιήσαντες ἥσθησαν, καὶ οὐ μόνον κατὰ Αἰγινῆων ταῖς τριῆρεσι ταῦταις, ἀλλὰ καὶ κατὰ Περσῶν ἐχρήσαντο.

In Hdt. vii 144 the amount available for distribution is stated as 10 drachmas a head. Elsewhere (in v 97) Hdt. reckons the citizens at 30,000. This gives us 50 talents for distribution. He also speaks of 200 ships. But 50 talents is far too small a sum for a fleet, even if only 100 ships were built at the cost of only one talent each. It has accordingly been suggested that Hdt. founded his calculation on the diminished returns of the mines at a later date, about 430 B.C. (Stein *ad loc.*). Boeckh considers that the population was probably 20,000 at the time meant by the historian. The amount to be distributed, at 10 dr. a head, would in that case be 200,000 dr. = 33½ talents.

It was Boeckh's opinion that all the public money arising from the mines was (annually) divided among the members of the community (*Dissertation*, § 8, p. 652 Lewis ed. 2). Grote himself held that the sum for distribution only formed 'part of a larger sum lying in the treasury, arising from the mines. Themistokles persuaded the people to employ the *whole* sum in

ship-building, which of course implied that the distribution was to be renounced. Whether there had been distributions of a similar kind in former years...is a matter on which we have no evidence' (c. 39, iii 407 n.). The evidence of the text supports Grote's view. The date of the building of the fleet is discussed by Busolt, ii 123 f., but the text was then represented by the Berlin fragment only.

Θεμιστοκλῆς was evidently not in the position of archon *eponymus* in the year of the proposal to distribute the revenue from the silver mines. The archon of that year was Nicodemus (483/2). He was in office, however, at the time when he proposed the fortification of the Peiraeus, Thuc. i 93 § 2, ὑπῆρκετο δ' αὐτοῦ πρότερον ἐπὶ τῆς ἐκείνου ἀρχῆς ἥς κατ' ἐνιαυτὸν Ἀθηναῖοι ἥρξεν, and he may have been archon eponymus at that time. The archon for 481/0 is Hypsichides (*infra* § 8). We may therefore place the archonship of Themistocles in 482/1.

Dionysius Hal., *Ant. Rom.* vi 34, p. 1117 K, makes Themistocles archon in 493 B.C., but (as Mr Kenyon shews) this is very improbable.

The chronology suggested by Bauer is as follows: according to Plutarch (*Them.* 31 and *Cim.* 18) Themistocles died at the age of 65 at the time of Cimon's expedition against Cyprus (448/7). This would give us 513 for his birth. He would be 30 in 483/2, and this was the year in which he brought about the formation of a fleet. His archonship should probably be placed in 482/1, a year that is not yet filled by any name. This is supported by the scholiast on Thuc. πρὸ δὲ τῶν Μηδικῶν ἥρξεν Θ. ἐνιαυτὸν ἕνα. Hdt. vii 143 describes him as ἀνὴρ ἐς πρώτους νεωστὶ παρών, which is unfavourable to placing his archonship as far back as 493: νεωστὶ is more likely to denote an interval of two, than of 13 years. The Themistocles of 493 (Dionysius) would in this case be another of the same name. But there is more probability in Mr Kenyon's second alternative, that Dionysius has simply made a mistake.

In 480/79 he was στρατηγός of the

στοκλῆς ἐκώλυσε, οὐ λέγων ὅτι χρήσεται τοῖς χρήμασιν ἀλλὰ δανείσαι κελεύων τοῖς πλουσιωτάτοις Ἀθηναίων ἑκατὸν ἑκάστῳ τάλαντον, εἴτ' ἐὰν μὲν ἀρέσκη τὸ ἀνάλωμα, τῆς πόλεως εἶναι τὴν δαπάνην, εἰ δὲ μὴ, κομίσασθαι τὰ χρήματα παρὰ τῶν δανεισ- 35 μένων. λαβὼν δ' ἐπὶ τούτοις ἐνα[υ]πηγήσατο τριῆρεις ἑκατόν, ἑκάστου ναυπηγουμένου τῶν ἑκατόν μίαν, αἷς ἐναυμάχησαν ἐν Σαλαμῖνι πρὸς τοὺς βαρβάρους. ὥστρακίσθη δ' ἐν τούτοις τοῖς 8 καιροῖς Ἀριστείδης ὁ Λυσιμάχου. τετάρτῳ δ' ἔτει κατεδέξαντο πάντας τοὺς ὥστρακισμένους, ἄρχοντας Ὑψιχίδου, διὰ τὴν Ξέρ- 40 ξου στρατείαν· καὶ τὸ λοιπὸν ὥρισαν τοῖς ὥστρακιζομένοις ἐκτός

34—35 ἐὰν μὲν ἀρέσκη, τὸ ἀνάλωμα τῆς πόλεως εἶναι, deletis τὴν δαπάνην, H-L, B, coll. Polyae. i 30 κὰν μὲν ἀρέση τὸ πραχθῆσόμενον, τῇ πόλει τὸ ἀνάλωμα λογισθῆναι. 39 τετάρτῳ: τρίτῳ 'corr. e Plut. *Ar.* 8' K-W² (B). 40 ὙΨΗΧΙΔΟΥ ante corr. (H-L): ὙΨΙΧΙΔΟΥ (K, K-W, B). 41 ΣΤΡΑΤΙΑΝ: στρατείαν (K-W, H-L, K²). In titulis (velut etiam in codicibus) et στρατεία et στρατιά *expeditionem* significat (στρατεύεσθαι—

τὰς στρατείας, B.C. 325;—τὰς στρατιάς B.C. 330) Meisterhans, p. 43². ΕΝΤΟΣ K, K-W, H-L: ἐκτός Wyse (B), quod egregie confirmat Philochorus in Lex. Rhet. Cantab. ὥστρακισμοῦ τρόπος: μὴ ἐπιβαίνοντα ἐντὸς Γεραίστου.

Athenian troops that marched to Tempe (Hdt. vii 173).

ὅτι χρήσεται] Plut. *Crit.* 45 C, οὐκ ἔχω ὅτι χρήσεται τῷ ἀργυρίῳ.

ἐν τούτοις τοῖς καιροῖς] Jerome has, under Ol. 74, 1 (=484/3), *Aristides cum ignominia eicitur*. On the ostracism of Aristides, cf. Plut. *Arist.* 7.

§ 8. τετάρτῳ ἔτει] 481/o. This fixes the date of the archonship of Hypsichides, a name that is now known for the first time. Plut., *Arist.* 8, says that the Athenians recalled Aristides, Ξέρξου διὰ Θετταλίας καὶ Βοιωτίας ἐλαύνοντος, i.e. in the spring of 480 B.C. He adds that the vote for the recall was passed in the third year after the banishment. This note of time may be explained by the fact that, if the vote for ostracising Aristides took place at the 6th (or 8th) *πρυτανεία* (c. 43 § 5), this would fall early in B.C. 483, and the corresponding date in 480 would be the end of the third year after.

κατεδέξαντο] Andoc. i § 107 (of the same incident), ἔγνωσαν τοὺς τε φεύγοντας καταδέξασθαι καὶ τοὺς ἀπίμους ἐπιτίμους ποιῆσαι.

τὸ λοιπὸν] [Dem.] 26 § 6, Ἀριστείδην μὲν γὰρ φασιν ὑπὸ τῶν προγόνων μετασταθέντα ἐν Αἰγίνῃ διατρίβειν ἕως ὃς ὁ δῆμος αὐτὸν κατεδέξατο. Hdt. viii 79, ἐξ Αἰγίνης διέβη. Suidas, s. v. Ἀριστείδης, διέτριψεν ἐν Αἰγίνῃ φυγών. Ξέρξου δὲ ὡς αὐτὸν ἐν τῇ φυγῇ πρὸς βουλευσάμενον καὶ τρισχιλίους δαρεικούς...διδόντος, οὐδὲν ἐπιστρέ-

φασθαι ἔφη τοῦ Περσικοῦ πλοῦτος κτλ. The fact that Aristides remained in Aegina explains the provision that henceforth persons ostracised were to reside *outside* Geraestus and the Scyllaeae promontory. According to Plutarch (*Cim.* 17), Cimon when ostracised appeared at Tanagra (Wyse in *Class. Rev.* v 274 b).

ἐκτός] Mr Kenyon, retaining ἐντός, suggests that the object of the regulation was to keep the ostracised person 'within very narrow boundaries,' so as to obviate the danger of a banished citizen entering into communication with Persia. But, as Aristides had remained within these limits, it is more reasonable to suppose that the line *beyond* which the ostracised person was to withdraw was thenceforward made the subject of special regulation. Banishment had in fact to be defined more strictly. Otherwise the exile might remain within a very short distance of Attica and carry on intrigues against his opponents.

Themistocles, while under ostracism, lived at Argos, Thuc. i 139, ἔχων διαίταν μὲν ἐν Ἀργεῖ (Plut. *Them.* 23 § 1), ἐπιφοιτῶν δὲ καὶ ἐς τὴν ἄλλην Πελοπόννησον, and afterwards went to Corcyra, and Epirus, to Pydna in Macedonia, and thence to Naxos and Ephesus. He clearly kept outside the limits described in the text as emended. Hyperbolus, again, lived in Samos (Thuc. viii 73 § 2). Both these cases exemplify the rule. According

42 Γεραιστοῦ καὶ Σκυλλαίου κατοικεῖν ἢ ἀτίμους εἶναι καθάπαξ.

23. τότε μὲν οὖν μέχρι τούτου προήλθεν ἡ πόλις, ἅμα τῇ δημοκρατίᾳ κατὰ μικρὸν ἀξανομένη· μετὰ δὲ τὰ Μηδικὰ πάλιν ἴσχυσεν ἡ ἐν Ἀρείῳ πάγῳ βουλὴ καὶ διώκει τὴν πόλιν, οὐδενὶ δόγματι λαβοῦσα τὴν ἡγεμονίαν, ἀλλὰ διὰ τὸ γενέσθαι τῆς περὶ 5 Σαλαμίνα ναυμαχίας αἰτία. τῶν γὰρ στρατηγῶν ἐξαπορησάντων τοῖς πράγμασι καὶ κηρυξάντων σφῆξιν ἕκαστον ἑαυτόν, πορίσασα δραχμὰς ἑκάστῳ ὀκτὼ διέδωκε καὶ ἐνεβίβασεν εἰς τὰς ναῦς. διὰ 2 ταύτην δὲ τὴν αἰτίαν παρεχώρουν αὐτῇ τοῦ ἀξιώματος, καὶ ἐπολι-

XXIII 1 ΤΟΤΕ: τὸ Poste (H-L).

5 διαπορησάντων Richards, coll. Cobet V. L.

pp. 219—220. 6 ΣΩΖΕΙΝ: σφῆξιν (edd.), cf. Meisterhans, p. 142². 7 inter ἑκάστῳ et ὀκτὼ lacunam indicat B, coll. Plut. *Them.* 10, ἑκάστῳ τῶν στρατευομένων. 8 ΔΥΤ(ΗΝ)ΤΩΙΔΙΩΜΑΤΙ: αὐτῇ τῷ ἀξιώματι K; αὐτῆς ἀξιώματι Rutherford; αὐτῆς τῷ ἀξιώματι Blass (H-L); αὐτῇ τοῦ ἀξιώματος J E B Mayor, K-W.

TESTIMONIA. XXIII 5—7 *Plut. *Them.* 10 οὐκ ὄντων δὲ δημοσίων χρημάτων τοῖς Ἀθηναίοις Ἀρ. μὲν φησι τὴν ἐξ Ἀρείου πάγου βουλὴν πορίσασαν ἑκάστῳ τῶν στρατευομένων ὀκτὼ δραχμὰς αἰτιωτάτην γενέσθαι τοῦ πληρωθῆναι τὰς τριήρεις.

to the Schol. on Aristoph. *Vesp.* 947, one of the differences between those who are banished for life and those who are ostracised is that the former 'have no fixed place of abode, no time of return assigned, but the latter have' (καὶ τόπος ἀπεδίδοδο καὶ χρόνος).

Γεραιστοῦ] The cape at the s. w. extremity of Euboea. (Hdt. viii 7, ix 105, Thuc. iii 3 § 4.) Σκυλλαίου] the cape at the eastern extremity of the territory of Troezen (Thuc. v 53), the most easterly point of the Peloponnesus, and forming (with the opposite promontory of Sunium) the entrance to the Saronic gulf. ἀτίμους—καθάπαξ] The penalty is that of perpetual ἀτιμία. For καθάπαξ in this connexion cf. Dem. *Mid.* §§ 32, 87, *Aristog.* i § 30. The various disabilities in such a case are enumerated by Aeschines, c. *Timarch.* § 18 (see Smith, *Dict. Ant.* i 242 a).

XXIII, XXIV. *The supremacy of the Areopagus. Aristides and Themistocles.*

XXIII § 1. μετὰ τὰ Μηδικὰ—βουλῇ] *Pol.* viii (v) 4, 1304 a 20, ἡ ἐν Ἀρείῳ πάγῳ βουλὴ εὐδοκμήσασα ἐν τοῖς Μηδικοῖς ἔδοξε συντονωτέραν ποιῆσαι τὴν πολιτείαν.

οὐδενὶ δόγματι κτλ.] This is said of the Areopagus to contrast it with the Four hundred (c. 29) and the Thirty (c. 34 end, and Isocr. *Areop.* 67, οἱ...ψηφίσματα παραλαβόντες τὴν πόλιν).

τῆς περὶ Σαλαμίνα ναυμαχίας] *Pol.*

1304 a 22, ὁ ναυτικός ὄχλος γενόμενος αἴτιος τῆς περὶ Σαλαμίνα νίκης καὶ διὰ ταύτης (ταύτην? Susemihl) τῆς ἡγεμονίας διὰ τὴν κατὰ θάλατταν δύναμιν τὴν δημοκρατίαν ἰσχυροτέραν ἐποίησεν.

ἐξαπορησάντων τοῖς πράγμασι] Isocr. *Paneg.* 147, ἀπορήσας τοῖς παροῦσι πράγμασι. For the general sense of the context, cf. Cic de *Off.* i 75, et *Themistocles quidem nihil dixerit, in quo ipse Areopagum adiunverit, at ille vere a se adiutum Themistoclem; est enim bellum gestum consilio senatus eius qui a Solone erat constitutus.*

πορίσασα δραχμὰς] Probably from the sacred treasure on the Acropolis; cf. Philippi, *Areopag.* 293; Oncken, *Staatslehre*, 468.

§ 2. παρεχώρουν αὐτῇ τοῦ ἀξιώματος] The most common construction of παραχωρεῖν is c. *dat. pers. et gen. rei vel loci.* Isocr. 118 D, π. τοῖς ἐχθροῖς τῆς ἡμετέρας. Aeschin. 54, 21. Polyb. iv 5, i etc., π. τινὶ τῆς πολιτείας, τῆς ἀρχῆς (L and S). Similarly εἰκειν τινὶ τῆς δόδου (Hdt. ii 80). For ἀξίωμα, cf. Thuc. vi 15 § 2, ὡν ἐν ἀξιώματι ὑπὸ τῶν ἀστών, and i 130 § 1.

Mr Kenyon prints παρεχώρουν αὐτῇ τῷ ἀξιώματι, 'gave place (or 'precedence') to it in rank' (or 'reputation'). The simple dat. may here be equivalent to ἐν—. The latter is found in *Magn. Mor.* ii 1, 1108 b 28, ὁ ἐν τούτοις παραχωρῶν ἐπικρῆς, but I can find no exact parallel for the dative alone.

ἐπολιτεύθησαν—καλῶς] With the sub-

τεύθησαν Ἀθηναῖοι καλῶς καὶ κατὰ τούτους τοὺς καιροὺς. συνέβη γὰρ αὐτοῖς περὶ τὸν χρόνον τοῦτον τὰ τε εἰς τὸν πόλεμον ἀσκήσαι¹⁰ καὶ παρὰ τοῖς Ἑλλήσιν εὐδοκιμῆσαι καὶ τὴν τῆς θαλάττης ἡγεμονίαν λαβεῖν ἀκόντων τῶν Λακεδαιμονίων. ἦσαν δὲ προστάται τοῦ δήμου κατὰ τούτους τοὺς καιροὺς Ἀριστείδης ὁ Λυσιμάχου καὶ Θεμιστοκλῆς ὁ Νεοκλέους, ὁ μὲν τὰ πολεμικὰ δοκῶν, ὁ δὲ τὰ πολιτικά δεινὸς εἶναι, καὶ δικαιοσύνη τῶν καθ' ἑαυτὸν διαφέρειν· διὸ¹⁵ 4 καὶ ἐχρῶντο τῷ μὲν στρατηγῷ, τῷ δὲ συμβούλῳ. τὴν μὲν οὖν τῶν τειχῶν ἀνοικοδόμησιν κοινῇ διόκησαν, καίπερ διαφερόμενοι πρὸς

9 καὶ (ante κατὰ) secl. κ, κ-w; retinent H-L (B), coll. 33 § 3. 10 κ(ΔΤΑ) supra scripto ΠΕΡΙ (B). κατὰ τὸν χρόνον τοῦτον secl. κ-w. 12 ΑΚΟΝΤΩΝ (κ, κ-w, B): ἐκόντων J B Mayor (*Class. Rev.* v 112 b), Gennadios; εἰκόντων Naber (H-L). 14 ΠΟΛΕΜΙΑ (κ, κ-w, H-L): πολεμικὰ Blass, Richards, Thompson; πολέμια defendit K coll. Thuc. i 18 εὐ παρεσκευάσαντο τὰ πολέμια, et iv 80 ἐν τοῖς πολεμίοις γεγενῆσθαι σφίσιν ἄριστοι. ΔΕΚΩΝ (retinent (κ, κ-w¹): δοκῶν Richards, Thompson, Kontos (H-L, κ-w², B); δοκῶν ἀσκεῖν conicit K. 14—15 ΠΟΛΕΜΙΚΑΔΕΙΝΟΣ per errorem, corr. K. δεινὸς εἶναι <δοκῶν> κ, κ-w¹.

sequent context, cf. Isocr. *Areop.* 51 (of the Areopagus), ἥς ἐπιστατούσης οὐ δικῶν οὐδ' ἐγκλημάτων οὐδ' εἰσφορῶν οὐδὲ πενίας οὐδὲ πολέμων ἢ πόλεις ἔγμεν...παρεῖχον γὰρ σφᾶς αὐτοὺς τοῖς μὲν Ἑλλήσιν πιστούς, τοῖς δὲ βαρβάρους φοβερούς· τοὺς μὲν γὰρ σεσωκότες ἦσαν κτλ., and §§ 80, 82. *Panath.* 151, τὰς πράξεις τὰς ἐκ τοῦ καλῶς πολιτεύεσθαι ...152, παρὰ τοῖς Ἑλλήσιν εὐδοκίμησαν. *De Pace*, 75—77, esp. τῆς πολιτείας τῆς παρὰ πᾶσιν εὐδοκίμουσης.

καὶ κατὰ τούτους τοὺς καιροὺς] καὶ is perhaps added because Athens had been well governed when the Areopagus was in power before, cf. § 1, πάλιν ἰσχυσεν (Newman).

τὴν τῆς θαλάττης ἡγεμονίαν κτλ.] Isocr. *Paneg.* 72 (after the Persian wars), οὐ πολλὰ δ' ὕστερον τὴν ἀρχὴν τῆς θαλάττης εἶλαβον, δόντων μὲν τῶν ἄλλων Ἑλλήνων, οὐκ ἀμφισβητούντων δὲ τῶν νῦν ἡμᾶς ἀφαίρεισθαι ζητούντων, *de Pace* 30, παρ' ἐκόντων τῶν Ἑλλήνων τὴν ἡγεμονίαν ἐλάβομεν, *Panath.* 67, οἱ σύμμαχοι τὴν ἡγεμονίαν ἡμῖν τὴν κατὰ θάλατταν ἐδοσαν. Thuc. i 96, παραλαβόντες οἱ Ἀθ. τὴν ἡγεμονίαν... ἐκόντων τῶν ξυμμάχων διὰ τὸ Πανσανίου μῖτος. In Xen. *Hell.* vi § 34 a Spartan declares that the Athenians were chosen leaders at sea τῶν Λακεδαιμονίων συμβουλευομένων. None of the above passages shews that the Lacedaemonians were really willing to surrender the supremacy; and in Thuc. i 96 the reference is not to the Lacedaemonians, but to the allies of Athens who smarted under the

overbearing conduct of Pausanias. Hence ἀκόντων should be retained.

§ 3. προστάται τοῦ δήμου] c. 2 § 2, and c. 28. Holm, *Gr. Gesch.* ii 43, 110.

Νεοκλέους] Plut. *Them.* i, N. οὐ τῶν ἄγαν ἐπιφανῶν Ἀθηνῆσι.

τὰ πολεμικὰ] *Pol.* 1305 a 14, ἀπειρία τῶν πολεμικῶν, 1285 b 18, ἡγεμονία τῶν πολεμικῶν. *Ind. Ar.* On the other hand, πολέμιος is rare in *Ar.* Cf. c. 3 l. 7.

δικαιοσύνη] Plut. *Arist.* 3 fin., and 7, τὸν δίκαιον.

τῷ μὲν στρατηγῷ, τῷ δὲ συμβούλῳ] Aristotle obviously refers to the rival claims of Themistocles and Aristides in *Pol.* viii (v) 8, 1309 a 39, ἔχει δ' ἀπορίαν, ὅταν μὴ συμβαλῇ ταῦτα πάντα (φιλίαν πρὸς τὴν καθεστῶσαν πολιτείαν... δύναμιν μεγίστην τῶν ἔργων τῆς ἀρχῆς... ἀρετὴν καὶ δικαιοσύνην) περὶ τὸν αὐτόν, πῶς χρὴ ποιεῖσθαι τὴν αἵρεσιν... ἐν στρατηγίᾳ μὲν (δεῖ βλέπεω) εἰς τὴν ἐμπειρίαν μᾶλλον τῆς ἀρετῆς... ἐν δὲ φυλακῇ καὶ ταμείᾳ τοῦναντίον. On the other hand Isocr., *Panath.* 143, strangely maintains that the best σύμβουλος will also prove the best general (*Class. Rev.* v 161 a).

§ 4. τειχῶν ἀνοικοδόμησιν] Thuc. i 89 § 3, τὴν πόλιν ἀνοικοδομοῖν παρεσκευάζοντο καὶ τὰ τεῖχη. Themistocles went as envoy to Sparta to gain time while the walls were being built (*ib.* 90), while Aristides was one of the ξυμπρέσβεις who afterwards announced to Themistocles ἔχειν ἱκανῶς τὸ τεῖχος (91 § 3). Cf. Busolt, ii 321—9.

ἀλλήλους· ἐπὶ δὲ τὴν ἀπόστασιν τὴν τῶν Ἰώνων ἀπὸ τῆς τῶν
 Λακεδαιμονίων συμμαχίας Ἀριστείδης ἦν ὁ προτρέψας, τηρήσας
 20 τοὺς Λάκωνας διαβεβλημένους διὰ Πανσανίαν. διὸ καὶ τοὺς 5
 φόρους οὗτος ἦν ὁ τάσας ταῖς πόλεσιν τοὺς πρώτους ἔτει τρίτῳ
 μετὰ τὴν ἐν Σαλαμῖνι ναυμαχίαν ἐπὶ Τιμοσθένους ἄρχοντος, καὶ
 τοὺς ὄρκους ὤμοσεν τοῖς Ἰωσιν || ὥστε τὸν αὐτὸν ἐχθρὸν εἶναι καὶ [Col. 1c
 φίλον, ἐφ' οἷς καὶ τοὺς μύδρους ἐν τῷ πελάγει καθεῖσαν.

24. μετὰ δὲ ταῦτα θαρροῦσης ἤδη τῆς πόλεως καὶ χρημάτων
 ἡθροισμένων πολλῶν, συνεβούλευεν ἀντιλαμβάνεσθαι τῆς ἡγεμο-
 νίας καὶ καταβάνας ἐκ τῶν ἀγρῶν οἰκεῖν ἐν τῷ ἄστει· τροφὴν
 γὰρ ἔσεσθαι πᾶσι, τοῖς μὲν στρατευομένοις, τοῖς δὲ φρουροῦσι,
 5 τοῖς δὲ τὰ κοινὰ πράττουσι, εἴθ' οὕτω κατασχήσειν τὴν ἡγεμονίαν.
 πεισθέντες δὲ ταῦτα καὶ λαβόντες τὴν ἀρχὴν τοῖς [τε] συμμαχοῖς 2

18 ἸΩΝΩΝΚ(ΔΙ)Τ(ΗΝ)Τ(ΩΝ)ΛΑΚΕΔ—ΜΑΧΙΑΝ:—ἀπὸ τῆς—συμμαχίας Blass, H-L,
 K-W, K³. 21 πόλεσι H-L. 23 ὤμοσε H-L, B.

XXIV 2 ΠΟΛΛΩΝΗΘΡΟΙΣΜΕΝΩΝ: πολλῶν ἡθροισμένων H-L, B; ἀθροισμένων π.
 K-W. 5 πράττουσιν H-L. 6 τοῖς τε: τοῖς B.

ἀπόστασιν τὴν τῶν Ἰώνων] Thuc. i
 95 § 1, ἐν τῇδε τῇ ἡγεμονίᾳ ἥδη βιαίον
 ὄντος αὐτοῦ (Pausanias) οἱ τε ἄλλοι Ἕλληνες
 ἤχθοντο καὶ οὐκ ἤκιστα οἱ Ἴωνες... φοιτῶν-
 τες τε πρὸς τοὺς Ἀθηναίους ἤξιον αὐτοὺς
 ἡγεμόνας σφῶν γενέσθαι κατὰ τὸ ξυγγενὲς
 καὶ Πανσανίᾳ μὴ ἐπιτρέπειν. Plut. Arist.
 23. On the other hand Hdt. viii 3, πρό-
 σασιν τὴν Πανσανίῳ ὕβριν προῖσχομενοι
 ἀπέλιντο τὴν ἡγεμονίαν τοὺς Λακεδαιμο-
 νίους. On Pausanias cf. *Pol.* 1307 a 2,
 1333 b 32.

§ 5. τοὺς φόρους] 'tributes.' Thuc. i 96,
 ἔταξαν ἅς τε ἔδει παρέχειν τῶν πόλεων
 χρήματα πρὸς τὸν βάρβαρον καὶ ἅς ναῦς...
 καὶ ἑλληνοταμίαι τότε πρώτων Ἀθηναίων
 κατέστη ἀρχή, οἱ ἐδέχοντο τὸν φόρον·
 οὕτω γὰρ ὠνομάσθη τῶν χρημάτων ἡ φορά.
 v 18 § 4, τὰς πόλεις φερούσας τὸν φόρον τὸν
 ἐπ' Ἀριστείδου. Plut. Arist. 24. Schol.
 Aeschin. 3 § 258, Ἀριστείδης ὁ τοὺς φόρους
 τάσας τοῖς Ἕλλησι. The φόρος was fixed
 in the first instance at 460 talents.

ἐπὶ Τιμοσθένους] B.C. 478/7.

The commencement of the Athenian
 ascendancy is placed by Diodorus (xi 41)
 in the year of Adeimantus (477/6). This
 is the date accepted by Clinton. Ephorus
 appears to have placed the first payment
 of tribute in the spring of 476 (Busolt,
Rhein. Mus. xxvii 313), and accordingly
 this has been the date usually assigned
 to the formation of the Confederacy of
 Delos.

Dem., *Phil.* iii 23, makes the Athenian
 ascendancy last 73 years, and the Lacedae-
 monian 29. The 29 years are reck-
 oned from the battle of Aegospotami
 (July 405) to the battle of Naxos (Sept.
 376). As the first of these battles marked
 the end of the Athenian empire, it follows
 that Dem. reckoned the beginning of the
 Athenian empire from 478, the first year
 after the Persian wars. For further de-
 tails, see Clinton's *Fasti*, Appendix, c. 6;
 and Busolt, ii 345.

τοὺς ὄρκους ὤμοσεν] Plut. Arist. 25,
 ὁ δ' Ἀριστείδης ὥρκισε μὲν τοὺς Ἕλληνας
 καὶ ὤμοσεν ὑπὲρ τῶν Ἀθηναίων, μύδρους
 ἐμβαλὼν ἐπὶ ταῖς ἀραις εἰς τὴν θάλατταν.
 The same symbol of an irrevocable oath
 is recorded in Hdt. i 165, οἱ Φωκαῖές
 ἐποιήσαντο ἰσχυρὰς κατὰρας τῷ ὑπολειπο-
 μένῳ ἐωντῶν τοῦ στόλου· πρὸς δὲ ταύτησι
 καὶ μύδρον σιδήρεον κατεπόντωσαν καὶ
 ὤμοσαν μὴ πρὶν εἰς Φωκαίην ἤξιν, πρὶν ἢ
 τὸν μύδρον τοῦτον ἀναφῆναι, and in Horace,
Eprod. 16, 25.

XXIV § 1. θαρροῦσης] c. 22 § 3.
 καταβάνας ἐκ τῶν ἀγρῶν κτλ.] In
 contrast to Peisistratus who encouraged
 agriculture with a view to preventing his
 subjects from living in Athens (c. 16
 § 3).

§ 2. λαβόντες τὴν ἀρχὴν] The simple
 verb is similarly used in Isocr. 4 § 72;
 5 § 61; 7 § 7; 8 §§ 30, 69, 74, 104;
 16 § 103. He has παραλαβεῖν τὴν ἀρχὴν

δεσποτικωτέρως ἐχρῶντο πλὴν Χίων καὶ Λεσβίων καὶ Σαμίων·
τούτους δὲ φύλακας εἶχον τῆς ἀρχῆς, ἑῶντες τὰς τε πολιτείας παρ'
3 αὐτοῖς καὶ ἄρχειν ὧν ἔτυχον ἄρχοντες. κατέστησαν δὲ καὶ τοῖς
πολλοῖς εὐπορίαν τροφῆς, ὥσπερ Ἀριστείδης εἰσηγήσατο. συνέ- 10
βαινε γὰρ ἀπὸ τῶν φόρων καὶ τῶν τελῶν [[καὶ τῶν συμμάχων]]

8 <τὰς> παρ', Richards, K-W.

'dictum erat de cleruchis' K-W.

9 ἄρχοντες <αὐτοῖς ἐπιτρέποντες, καὶ — —>
10 συνέβαινε H-L.

10—22 'idoneam sententiam non praebeant...certe ipsi auctori tribuenda non videntur' H-L.

11 ΦΟΡΩΝ: εἰσφορῶν Whibley (H-L).

καὶ τῶν συμμάχων secl. K-W, B.

in 4 § 100; 8 § 101; κατασχῆν in 4 § 102, 8 § 126.

δεσποτικωτέρως] This comparative of the adverb is not in L and S. *Pol.* iv 10, 3, τὸ δεσποτικῶς ἄρχειν.

πλὴν Χίων καὶ Λεσβίων καὶ Σαμίων] Thuc. i 19, (in the interval between the Persian and Peloponnesian wars) Ἀθηναῖοι δὲ (τοὺς ξυμμάχους ἡγούντο) ναὺς τε τῶν πόλεων τῷ χρόνῳ παραλαβόντες, πλὴν Χίων καὶ Λεσβίων, καὶ χρήματα τοῖς πᾶσι τάξαντες φέρειν. Even when (under Pericles) the confederacy of Delos was transformed into an empire on the part of Athens, with her former confederates degraded into tributary dependencies, Chios, Samos and Lesbos alone remained on their original footing of autonomous allies.

It was after the revolt of *Samos* in 440 B.C. that that state was conquered by an armament under ten generals, including Pericles and Sophocles, and after a prolonged contest disarmed and dismantled (Thuc. i 115—117). Lesbos and Chios still remained in a privileged position (Thuc. iii 10).

Mitylene and the greater part of *Lesbos* revolted in 428 (*ib.* 2), one of the reasons being that the Mityleneans 'had no security that Athens would not degrade them into the condition of subject-allies like the rest' (*ib.* 10 *fin.*). The fortifications of Mitylene were razed, all her ships of war captured, and the greater part of the island allotted to Athenian settlers (*ib.* 50).

In 425 *Chios* incurred the suspicion of Athens by building a new wall, which implied an intention to revolt (Thuc. iv 51). The Athenians insisted on the destruction of the wall (52). Chios actually revolted in 412 and was much harassed by the Athenians (Thuc. viii 14—61).

It is to the result of these revolts that Aristotle refers in *Pol.* iii 13, 1284 a 39, where, after speaking of ostracism as a means of suppressing undue prominence,

he adds: τὸ δ' αὐτὸ καὶ περὶ τὰς πόλεις καὶ τὰ ἔθνη ποιοῦσιν οἱ κύριοι τῆς δυνάμεως, οἷον Ἀθηναῖοι μὲν περὶ Σαμίου καὶ Χίου καὶ Λεσβίου (ἐπεὶ γὰρ θάττον ἐγκρατῶς ἔσχον τὴν ἀρχήν, ἐταπείνωσαν αὐτοὺς παρὰ τὰς συνθήκας). But (as observed by Schlosser) the remark in the *Politics* is untrue of Lesbos, and barely true of Samos and Chios. The account in the text correctly describes the position of privilege at first enjoyed by these three islands. The passage in the *Politics* refers to a later time and is therefore not inconsistent with the text (cf. W. L. Newman, *Class. Rev.* v 162 b).

ἑῶντες] The two constructions of *ἑῶν* are here combined, (1) the acc., as in *Pol.* v 7, 1307 b 16, κινήσαντας τὸν νόμον ἑάσειν τὴν ἄλλην πολιτείαν, and (2) the inf., as *ib.* 3, 1302 b 20, ἑάσαντας γενέσθαι ἰᾶσθαι ὑσπερον.

ὧν ἔτυχον ἄρχοντες] For Chian possessions on the mainland, cf. Hdt. i 160 (Wyse). On the relations of Athens to Chios, Lesbos and Samos, cf. Wilamowitz, *Aus Kydathen*, pp. 11, 12.

§ 3. ὥσπερ Ἀριστείδης εἰσηγήσατο]

'If the policy of Aristides is placed in a less favourable light than we should expect, inasmuch as he is said to have converted a citizen-body largely consisting of peasants into an urban citizen-body subsisting on pay and exercising a despotic authority over the subject states, and thus to have contributed to the establishment of an extreme democracy, we remember that we are taught in the *Politics* (iv 6, 5, 1292 b 41 *sqq.*) to connect the establishment of a *τελευτά* δημοκρατία with a large increase in the size of the city and with the provision of pay, and also that Theophrastus' opinion of Aristides was not an altogether favourable one (Plut. *Arist.* c. 25).' (W. L. Newman in *Class. Rev.* v 162 b.)

τῶν φόρων] See note on 23 § 5.

τῶν τελῶν] 'taxes.' With the exception of the produce of plunder in war

πλείους ἢ δισμυρίους ἄνδρας τρέφεσθαι. δικάσται μὲν γὰρ ἡ[σα]ν
 ἑξακισχίλιοι, τοξόται δ' ἑξακόσιοι καὶ χίλιοι, καὶ πρὸς τούτοις
 14 ἵππεῖς χίλιοι καὶ διακόσιοι, βουλὴ δὲ πεντακόσιοι, καὶ φρουροὶ

12 ΔΙΚΑΣΤΑΙ: ὁπλῖται? van Leeuwen, Gennadios.

and sale of prisoners, the *φόρος* was at this time the only source of revenue from foreigners. (The duty on merchandise passing to or from the Euxine was not levied until 409.) Hence the reference in *τελών* is to taxes imposed by the Athenians and levied *at home*, whether (1) ordinary taxes, such as harbour-dues, market-dues, court-fees, and payments made by resident aliens, or (2) extraordinary taxes. The latter were levied for special purposes, viz. the property-tax (*εἰσφορά*) which was practically a war-tax, and the *ληγουργίαι*, or compulsory services. These last did not contribute towards the support of the citizens except by relieving them of expenses which might otherwise have fallen on the public chest. Lastly, there was the income derived from rents of public lands, and from the mines at Laurium.

In Thuc. vi 91, 6, Alcibiades enumerates some of these sources of revenue, viz. the mines, the public land and the law-courts and the tribute paid by the allies (*τῆς ἀπὸ τῶν ξυμμάχων προσόδου*). There is a fuller enumeration in Aristoph. *Vesp.* 656, καὶ πρῶτον μὲν λογίσας παύλως, μὴ ψήφοις, ἀλλ' ἀπὸ χειρὸς, τὸν φόρον ἡμῶν ἀπὸ τῶν πόλεων ξυλληθῆναι τὸν προσ-
 ὶοντα· κἄτω τούτων τὰ τέλη χωρὶς καὶ τὰς πολλὰς ἑκατοστάς, πρυτανεία, μέταλλ', ἀγοράς, λιμένας, μισθοὺς καὶ δημόπρατα (making a total of nearly 2000 talents, of which the 6000 *δικασταὶ* received 150).

As the *σύμμαχοι* contribute no payment except the *φόρος*, it is clear that the mention of them in the text is superfluous.

'The text, as it stands, appears to imply that the citizens of Athens derived maintenance from the allies over and above the *φόροι* and the *τέλη* paid by them; cf. [Xen.] *Rep. Ath.* i 16—18. Fees paid by the allies in lawsuits may be included in the reference, for these helped to maintain the dicasts (Gilbert, i 382, 4). There was also an *ἐπιφορά* (*ib.* 397). The visits of the citizens of the allied states to Athens would be another source of profit' (Newman).

πλείους ἢ δισμυρίους] The numbers actually specified amount to 15,750. If to this we add (with Mr Kenyon) '4000

men for the 20 guard-ships at the usual rate of 200 men to each ship,' we obtain a total of 19,750, not including the orphans and other privileged persons mentioned at the end of the chapter.

δικασταὶ] As these were not paid until the time of Pericles, this must be (as Mr Kenyon notices) an anticipation of the results of the policy initiated by Aristides. ἑξακισχίλιοι] *i.e.* 600 for each tribe. This is apparently the number of the dicasts in the times of the democracy after Cleisthenes. The *Heliastae* were instituted by Solon; but their number in his days is unknown, though it was probably not very small.

τοξόται] The context shews that *citizens* serving as bowmen are meant. The figures in the text are partly borrowed from Thuc. ii 13 § 7, where Pericles, on the outbreak of the Peloponnesian war, estimates the number of the *τοξόται* at 1600, and the *ἵππεῖς* at 1200 *ξὺν ἱπποτοξόταις*. In Thuc. vi 25 Nicias requires for the Sicilian expedition *τοξοτῶν τῶν αὐτόθεν καὶ ἐκ Κρήτης*. Gilbert, *Gr. St.*, i 305, quotes CIA i 79, *τοξόται οἱ ἀστικοί*; i 45, (*κατὰ*) *φυλὰς τοχ(σ)ταὶ δέκα*; and i 55, 433, 446; *ib.* i 79, *οἱ τόξαρχοι*. The 1600 freeborn bowmen in the text must be distinguished from the 1200 Scythian bowmen of Andocides (*de Pace*, 7) and Aeschines (*F. L.* §§ 173—4). The latter were a police force instituted in 480 B.C. when 300 were purchased for this purpose by the state (Andoc. *l. c.* 5).

ἵππεῖς] The same number is found in Thuc. ii. 13 § 7, and in Andocides and Aeschines (*l. c.*) In 490 Athens had no cavalry (Hdt. vi 112). The number gradually rose to 1000, Arist. *Eg.* 225, Philochorus *ἐν τετάρτῳ* (B.C. 456—404) ap. Hesych. s. v.; and this number was maintained in the fourth century (Xen. *Hipparch.* 9, 3; Dem. 14 § 13). The number 1200 in Thuc. includes the *ἱπποτοξόται*. As the latter were Scythian slaves, it was a discredit to an Athenian citizen to serve in this force (Lys. 15 § 6). The fact that only 1000, out of the total 1200, are really citizens is apparently overlooked in the text. Gilbert, *Gr. St.*, i 305, n. 5, quotes Philochorus, *l. c.*, *διάφορα γὰρ ἦν ἱππέων πλήθη κατὰ χρόνον Ἀθηναίους*, but holds

νεωρίων πεντακόσιοι, καὶ πρὸς τούτοις ἐν τῇ πόλει φρουροὶ πεντή- 15
κοντα, ἀρχαὶ δ' ἐνδημοὶ μὲν εἰς ἑπτακοσίους ἄνδρας, ὑπερόριοι δ'

15 τῇ secl. K-W², B.

16 M(EN) HCΔN EIC.

that little credit can be given to any statements giving 1200 as the total number of the *ἱππεῖς* alone.

φρουροὶ νεωρίων I cannot find any other passage in which these are expressly mentioned. In Thuc. ii 13 § 6 half the circuit of the Peiraeus and Munichia is described as *ἐν φυλακῇ*, and the total number of *ὁπλῖται τῶν ἐν τοῖς φρουροῖς καὶ τῶν παρ' ἑπαλξῶν* is 16,000 (*ib.* § 3). This number is the force employed on the outbreak of war.

ἐν τῇ πόλει φρουροὶ The mention of the *νεώρια* in the previous clause might at first sight suggest that these *φρουροὶ* were concerned with the upper *πόλις* in contrast with the Peiraeus: but, if so, we should expect *ἐν τῷ ἄστει* as the normal term to express this contrast. It is therefore probable that *τῇ πόλει* refers to the *Acropolis*, and it is so translated by Th. Reinach. This view (as Mr Wyse suggests to me) is supported by an inscr. of the 5th cent. published in the *Bulletin de Corr. Hellénique*, 1890, 177—180, and ascribed to 447 B.C. in CIA iv 3, 26 a, [τ]ῆν πόλιν . . . ο . . . [ο]ἴκο[δ]ομησai ὅ[πως] ἂν δραπέτης μὴ ἐ[σ]τ[η] μηδὲ λωποδύτ[ης]. ταῦτα δὲ ξυνορ[ά]ψαι μὲν Καλλικρ[ά]τη(ν) ὅπως ἀρίστα κα[ί] ἐντελέστατα σκ[ε]ν[ά] [σ]αι[τ]ο, μισθώσα[ι] δὲ τοὺς πωλητὰς ὅπως ἂν ἐντὸς ἐξήκοντα ἡμερῶν ἐπισκ[ε]ύασθῃ, φύλακας δὲ [εἶ]ναι τρεῖς μὲν τοξότ[ας] ἐκ τῆς φυλῆς τῆς [π]ρυτανειοσύνης. M. Foucart understands the three *τοξόται* who are to act as *φύλακες* to be *trois Scythes*, on the ground that the police was not recruited from the citizens, but it will be observed that they belong to a *φυλὴ* and are therefore citizens. They are appointed to guard the approach to a particular part of the *Acropolis* and to prevent runaway slaves from seeking sanctuary in the temples. *πόλις*, or *ἡ πόλις*, is regularly used of the *Acropolis* in the 5th century. Thuc. ii 15 *fin.* (καλεῖται) ἡ ἀκρόπολις μέχρι τοῦδε ἐτι ὕπ' Ἀθηναίων πόλις. Cf. c. 8 l. 24.

Aristophanes always uses *ἐν πόλει*, *ἐς πόλιν* (without the article) when he means the *Acropolis*. In prose writers, however, there are places where the mss give the article: Xen. *Anab.* vii 1, 27, ὑπαρχόντων πολλῶν χρημάτων ἐν τῇ πόλει, Aeschin. i § 97, οἰκίαν ὅπισθεν τῆς πόλεως, Antiph. 6 § 39, διηλλάγην τούτοις ἐν τῇ

πόλει ἐναντίον μαρτύρων, [Xen.] *de Rep.* 5 § 12, πολλὰ χρήματα εἰς τὴν πόλιν ἀνενεχθέντα, Phil. *Per.* 32, ὅπως... οἱ δὲ δικασταὶ τὴν ψήφον ἀπὸ τοῦ βωμοῦ φέροντες ἐν τῇ πόλει κρίνοιν. ἐμ πόλει is no doubt the normal form in CIA i' (Wyse).

ἀρχαὶ... ἐνδημοὶ The total number is large, and there is nothing to shew that the higher officers of state are excluded. Schömann (*Ant.* p. 147, E. T.) says: 'so far as our knowledge extends, the offices of government were unpaid.' Again, on p. 402, 'official functionaries,' as contrasted with subordinates, 'served without pay' (cf. *ib.* 436). But in c. 62 the archons receive for maintenance 4 obols a day each, and in c. 29 (under the constitution of 411) the archons and *πρυτάνεις* are excepted from the rule that all offices should be without pay.

ὑπερόριοι In *Pol.* iii 14, 1285 ὁ 14, we have τὰ κατὰ πόλιν καὶ τὰ ἐνδημα καὶ τὰ ὑπερόρια συνεχῶς ἤρχον, and the term *ὑπερόριος* occurs again in l. 18. Cf. law quoted in Aeschin. c. *Timarch.* 47, μηδὲ ἀρχὴν ἀρχέτω μηδεμίαν, μήτε ἐνδημον μήτε ὑπερόριον. Mr Kenyon's translation distinguishes between magistrates 'within the city' and 'those whose jurisdiction lay outside it'; Mr Poste (more satisfactorily) between 'home' and 'foreign' magistrates. The latter would naturally include the officials in the Athenian *κληρουχίαι*. The first *κληρουχία* was that settled near Chalkis in 510 B.C. The number of cleruchs sent out between 460 and 427 amounted to 9,450, not including those sent to Lemnos, Imbros and Aegina (Gilbert, *Gr. St.* i 421, note 4).

The cleruchs were subject to military orders, and we sometimes hear of civil magistrates being sent out by Athens, e.g. *ἄρχοντες* sent to Lesbos (Antiphon, *de Caede Her.* § 47). Cf. the *ἐπίσκοποι* of Aristoph. *Av.* 1022, 1050 (see Wilamowitz, *Aus Kydathen*, p. 75), and the *ἐπιμεληταὶ* sent to Miletus (CIA iv 1, 22^a) and in later times to Delos, Haliartus and Paros (Boeckh, i 508 a, and n. 709 Fränkel).

The *ἀρχαὶ ὑπερόριοι* would also include the *φρούραρχοι*, as at Erythrae, CIA i 9 (Ditt. no. 2), and 10. *φρουραρχία* is mentioned in Xen. *Mem.* iv 4, 17, and *φρούραρχοι* possibly in [Xen.] *de Rep.*

εἰς ἑπτακοσίους· πρὸς δὲ τούτοις, ἐπεὶ συνεστήσαντο τὸν πόλεμον ὕστερον, ὁπλίται μὲν δισχίλιοι καὶ πεντακόσιοι, νῆες δὲ φρουρίδες 19 εἴκοσι, ἄλλαι δὲ νῆες αἱ τοὺς φρουροὺς ἄγουσαι τοὺς ἀπὸ τοῦ

17 ἑπτακοσίους e v. 16 male repetitum putant κ-w (B). 'an <τὰ εἰς> τὸν πόλεμον?' κ-w; κατέστησαν ἐς τὸν πόλεμον Richards. 19 φορογς κ, et (lacuna post ἄγουσαι indicata) κ-w: φρουροὺς van Leeuwen et Blass, coll. 62 § 1; φόρους 'vox aperte corrupta,' H-L; μισθοφόρους? Herwerden.

Ath. i 18, τοὺς ἐκπλέοντας 'Ἀθηναίων ἐτίμων ἂν μόνους, τοὺς τε στρατηγούς καὶ τοὺς φρουράρχους (MSS τριηράρχους) καὶ τοὺς πρέσβεις (Wilamowitz, *Aus Kydathen*, pp. 73—76). Cf. inscr. ascribed to the beginning of the Peloponnesian war (CIA iv 3, 27 c), οἵτινες 'Ἀθηναίων ἄρχουσι ἐν τῇ ὑπερορίᾳ.

συνεστήσαντο τὸν πόλεμον] The phrase *συστήσαι* or *συστήσασθαι* πόλιν or πολιτείαν is found in the *Politics* and τὰ πράγματα συνίστασθαι (of tragic poets) in the *Poetics* 6, p. 1450 a 37. Again, in *Thuc.* i 15 § 2 we find κατὰ γῆν δὲ πόλεμος... οὐδεὶς ξυνέστη, and *Hdt.* vi 108 has συνεστέωτας Βοιωτοῖσι for 'engaged in conflict with' the B. Here, if τὰ εἰς were to be inserted, it might mean 'organised,' as in *Xen. Anab.* vii 6 § 26 ἱππικὸν συνεστηκός, cf. τὸ στράτευμα συνεστηκός, of 'a standing army,' in *Dem.* p. 93 *fin.*

ὁπλίται] The number 2,500 is difficult to reconcile with the figures mentioned elsewhere. The number of Athenians who fought at Marathon was 9,000 (*Pausan.* x 20, 2) or 10,000 (*Justin.* ii 9); at Plataea, 8,000. In *Thuc.* ii 13 § 2, Pericles estimates the number of hoplites at 13,000 fit for service in the field, and 16,000 (of the oldest and the youngest of the citizens) as fit to serve on garrison duty and to man the walls. In *Thuc.* ii 31 § 2, the Athenians march into Megara with a force of not less than 10,000 hoplites who were citizens, and not less than 3,000 who were μέτοικοι. Achaenae (the largest of the demes) could put into the field 3,000 hoplites. Possibly these numbers are exceptionally large and represent the maximum number of hoplites available on an emergency; but the number in the text professes to be that of the hoplites on the outbreak of war. The armament for the Sicilian expedition included not less than 4,000 hoplites (*Thuc.* vi 31, 2). In *Thuc.* vii 20 the hoplites ἐκ καταλόγου number 1,200.

It seems certain that these 2,500 hoplites (as partly implied in πρὸς τούτοις) are in addition to such of the citizens who were available in time of war. Most of

these have already been enumerated under previous headings. Thus, if we add to the 2,500 hoplites the 6,000 dicasts and the 500 members of the βουλή, we obtain a total of 9,000, the exact number of Athenians who (according to *Pausanias*) fought at Marathon. Again, if we further add the 700 home officials, we get a total of 9,700, only 300 less than the 10,000 Athenian hoplites who marched into Megara early in the Peloponnesian war.

Blass understands by ὁπλίται *qui continuo in praesidiis erant*.

νῆες—φρουρίδες] 'guard-ships.' In *Thuc.* iv 13 § 2 the Athenian fleet at Pylos includes τῶν φρουρίδων τινὲς τῶν ἐκ Ναυτάκτου: the ships from Zacynthus are 50 in all; of these 35 were already at that island in c. 5, and 4 ships came from Chios, leaving eleven as the number of guard-ships from Naupactus, which had been an Athenian naval station ever since its capture in 455 B.C. (*Thuc.* i 103). The only other passages in which 'guard-ships' are mentioned are *Xen. Hell.* i 3, 17, where they form part of the Spartan fleet in the Hellespont, ναὺς αἱ ἦσαν ἐν τῷ Ἑλλησπόντῳ καταλειμμέναι φρουρίδες, and CIA iv 22 a, at Miletus, [ἀπο]στειλάντων [δύο] φρουρίδε. Cf. Wilamowitz, *Aus Kydathen*, p. 73 f.

The Athenian triremes were generally manned by about 200 each (*Boeckh* ii xxii p. 376 *Lamb*; *Gilbert*, i 310).

τοὺς—ἄγουσαι] φόρους raises a serious difficulty. It has hitherto been supposed that the 'tributaries' of Athens paid in the money themselves to the Council (*Boeckh* ii vii, p. 177 *Lewis*; *Gilbert*, i 398). *Pollux* (viii 114) inaccurately says that the ἑλληνοταμίαι collected the tribute, but this duty (when necessary) was (after 446?) performed by the ἐκλογαίς. It was only the collection of arrears or fines that was enforced by means of νῆες ἀργυρολόγοι (*Thuc.* iii 19; iv 50, 75) under the command of one or more στρατηγοί (*Gilbert*, i 398, and *Beiträge*, p. 67). Further, unless we suppose a lacuna, τοὺς ἄνδρας cannot be construed. Hence the suggestion φρουροὺς, which follows naturally

κυάμου δισχιλίους ἄνδρας, ἔτι δὲ πρυτανεῖον καὶ ὀρφανοὶ καὶ δεσ- 20
μωτῶν φύλακες· ἅπασιν γὰρ τούτοις ἀπὸ τῶν κοινῶν ἡ διοίκη-
σις ἦν.

25. ἡ μὲν οὖν τροφή τῷ δήμῳ διὰ τούτων ἐγίνετο. ἔτη δὲ
ἑπτὰ καὶ δέκα μάλιστα μετὰ τὰ Μηδικὰ διέμεινεν ἡ πολιτεία προ-
εστώτων τῶν Ἀρεοπαγιτῶν, καίπερ ὑποφερομένη κατὰ μικρόν. αὐ-
ξανόμενου δὲ τοῦ πλήθους, γενόμενος τοῦ δήμου προστάτης Ἐφιάλ- 4

20 'πρυτανεῖον νix verum' K-W.
της H-L.

XXV 1 εἶν (K-W).

21 ἅπασιν B.

ΔΙΟΙΚΗCIC: διασί-

TESTIMONIA. XXV 4 Heraclidis epitoma (Rose, Frag. 611): Ἐφιάλτης.

after *φρουρίδες* and enables us to take τοὺς
ἄνδρας in apposition with it. In addi-
tion to the guard-ships stationed at places
like Naupactus, there would be transports
to take the *φρουροὶ* to the places where
they were to be stationed. These *φρου-*
ροὶ were appointed by lot by the demes.
Even when changes were made in other
appointments, the *βουλευταὶ* and the *φρου-*
ροὶ still continued to be thus appointed
(c. 62 § 1).

πρυτανεῖον] i.e. the persons maintained
in the *prytaneum*, e.g. citizens who had
done good service and were entertained
at the public expense, either on a special
occasion or for life. Among the latter
were victors in the panhellenic games, dis-
tinguished generals or statesmen, and the
representatives of Harmodius and Aristo-
geiton. The archons and other officials
are not included in this list, as they have
already been included in the *ἀρχαὶ ἐν-*
δημοὶ; and besides, in historic times, the
archons probably dined in the *Thesmo-*
thesion and the prytanes and certain other
officials in the *Tholos* (see *Dict. Ant. s. v.*).
Cf. Hermann, *Staatsalt.* § 127, 17 f.

ὀρφανοὶ] The sons of citizens who
had fallen in war were maintained during
their minority at the public expense. The
regular phrase for this was *δημοσίᾳ τρέ-*
φειν. Cf. Thuc. ii 46, τοὺς παῖδας ἀπὸ
τοῦδε δημοσίου ἡ πόλις μέχρι ἡβῆς θρέψει.
Pol. ii 8, 1268 a 8 (τοῖς παισὶ τῶν ἐν τῷ
πολέμῳ τετελευτηκότων ἐκ δημοσίου γί-
νεσθαι τὴν τροφήν)...ἔστι δὲ καὶ ἐν Ἀθήναις
οὗτος ὁ νόμος νῦν. Plat. *Menex.* 248 E.
The institution is said to have gone back
as far as the time of Solon (Diog. Laert.
i 54). Cf. Schulthess, *Vormundschaft*,
pp. 13—26. 'ὀρφανοὶ are mentioned in an
inscr. said to be not later than 460 B.C.
(Dittenberger, no. 384, l. 120), but the
latter part is much mutilated' (Wyse).

δεσμωτῶν φύλακες] The Eleven had
the management of the prison and had
under them subordinates, such as jailers,
executioners and torturers; but as these
were *δημόσιοι*, or public slaves, the refer-
ence may possibly be to the Eleven them-
selves, who are called *δεσμοφύλακες* in
the Schol. on Dem. *Androt.* § 26, *Timocr.*
§ 210, and on Aristoph. *Plut.* 1108 where
the term is corrupted to *θεσμοφύλακες*.

διοίκησις] lit. 'administration.' *Pol.*
iii 16, 1287 a 6, ποιεῖν ἓνα κύριον τῆς
διοικήσεως, and 1331 b 9, περὶ γραφᾶς
δικῶν καὶ τὴν ἄλλην τὴν τοιαύτην διοίκησιν.
iv (vii) 10, 1330 a 7 (it is not easy for all
the citizens to pay their share in the
συσσίτια) καὶ διοικεῖν τὴν ἄλλην οἰκίαν.
The word is often used in the *Politics*,
of management or administration. The
primary meaning is 'to keep house,' as
in Plato *Meno* 91 A, τὰς τε οἰκίας καὶ τὰς
πόλεις διοικεῖν. *διοίκησις* means 'house-
keeping' in Dem. *Stroph.* 45 § 32, τῆς
καθ' ἡμέραν διοικήσεως. In the text it in-
cludes maintenance (*σίτησις*) and payment
of money.

XXV. *Ephialtes*.

§ 1. ἔτη ἑπτὰ καὶ δέκα μάλιστα]
From 478/7 B.C., the date of the Con-
federacy of Delos (23 § 5), in the first
year after the Persian wars, to 462/1, the
archonship of Conon.

προεστώτων τῶν Ἀρεοπαγιτῶν] See
c. 23 § 1, and *Politics* there quoted.
Isocr. *Areop.* 51 ἡς ἐπιστατοῦσις κτλ.

ὑποφερομένη] c. 36 § 1.

Ἐφιάλτης ὁ Σοφωνιδίου] The father's
name is given (Σοφ-) in Aelian *Var. Hist.*
ii 43; iii 17; xi 9 (*πενέστατος ἦν*). The
last of these passages illustrates *ἀδωροδό-*
κητος. He declined an offer of 10 talents
from his friends, saying: ταῦτά με ἀναγ-
κάσει αἰδοῦμενον ὑμᾶς καταχαρίσασθαι τι
τῶν δικαίων, μὴ αἰδοῦμενον δὲ μὴδὲ χαρίζο-

5 της ὁ Σοφωνίδου, || καὶ δοκῶν ἀδωροδόκητος εἶναι καὶ δίκαιος [Col. 11]
πρὸς τὴν πολιτείαν, ἐπέθετο τῇ βουλῇ. καὶ πρῶτον μὲν ἀνείλεν 2
πολλοὺς τῶν Ἀρεοπαγιτῶν, ἀγῶνας ἐπ[ι]φέρων περὶ τῶν διωκημέ-
νων· ἔπειτα τῆς βουλῆς ἐπὶ Κόνωνος ἄρχοντος ἅπαντα περιείλετο

5 [καὶ] δοκῶν H-L, K-W².
K-W, K³, B; παρείλετο H-L.

6 ἀνείλε H-L.

8 περιείλε: περιείλετο Richards,

μενον ὑμῖν ἀχάριστον δόξαι. Cf. Plut. *Cim.* 10. On Ephialtes, see Duncker, *G. d. A.* viii; Holm, *Gr. Gesch.* ii 176—7.

δίκαιος πρὸς τὴν πολιτείαν] The phrase reminds us of the *Politics*; v 9 § 1, 1309 a 36, τρίτον δ' ἀρετὴν καὶ δικαιοσύνην ἐν ἐκάστη πολιτείᾳ τὴν πρὸς τὴν πολιτείαν (*Class. Rev.* v 160 a). Aelian *Var. Hist.* xiii 39, 'Εφ. στρατηγὸν οὐκ εὐδαιμόνιος αὐτῷ τυπὸν πενίαν 'τὸ δὲ ἔτερον' ἔφη 'διὰ τί οὐ λέγεις, ὅτι δίκαιός εἰμι;'

§ 2. ἀγῶνας ἐπιφέρων] Plut. *Per.* 10 § 6, 'Εφιάλτην...φοβερὸν ὄντα τοῖς ὀλιγαρχικοῖς καὶ περὶ τὰς εὐθύνας καὶ διώξεις τῶν τὸν δῆμον ἀδικούντων ἀπαραίτητον. Ephialtes had made himself feared by his opposition to Cimon in particular; Cimon's party was in a minority, as may be inferred from his being ostracised, probably in the spring of 462 (Busolt, i 454 n).—Cf. Oncken, *Staatslehre*, pp. 492—505, 'Ephialtes und die Gerichtsreform.'

ἐπὶ Κόνωνος] B.C. 462/1, Diod. xi 74. Hitherto the date of this attack on the Areopagus has not been accurately known. It has sometimes been assigned to B.C. 460 (Diodorus xi 77, followed e.g. in Peter's *Zeittafeln*) or about 458 (e.g. in Smith, *Dict. Ant. s. v.* Areopagus). Cf. Philippi, *Areop.* p. 256—9.

περιείλετο] *Inf.* § 4, περιείλοντο. See note on παραιρέσθαι and περιαιρέσθαι in 27 § 1.

On the overthrow of the Areopagus by Ephialtes, cf. *Pol.* ii 12, 1274 a 7, καὶ τὴν μὲν ἐν Ἀρείῳ πάγῳ βουλὴν Ἐφιάλτης ἐκόλυσε καὶ Περικλῆς (καὶ Π. bracketed by Sauppe). It was not until a later date that Pericles deprived the Areopagus of some of its remaining privileges, c. 27 § 1. The text implies that he was not the leader of the present attack. Philochorus (FHG i 407), 'Εφ. μόνῃ κατέλιπε τῇ ἐξ Ἀρείου πάγου βουλῇ τὰ ὑπὲρ τοῦ σώματος. Theopompus is supposed to be the authority followed on this point by Plutarch: *Pericles* 7 (Eph.) κατέλυσε τὸ κράτος τῆς ἐξ Ἀρείου πάγου βουλῆς, πολλὴν (κατὰ τὸν Πλάτωνα, *Rep.* 562 C, D) καὶ ἄκρατον τοῖς πολλοῖς ἐλευθερίαν οἰνοχοῶν,

and *ib.* 9 (of the Areop.) ὥστε τὴν μὲν ἀφαιρεθῆναι τὰς πλείστας κρίσεις δι' Ἐφιάλτου. *Cimon* 10, (Cimon) πρὸς Ἐφιάλτην ὑστερον χάριτι τοῦ δήμου καταλύοντα τὴν ἐξ Ἀρείου πάγου βουλὴν διηρέχηθαι, *ib.* 15, 'Εφιάλτου προεστῶτος ἀφείλοντο τῆς ἐξ Ἀρείου πάγου βουλῆς τὰς κρίσεις πλὴν ὀλίγων ἀπάσας, καὶ τῶν δικαστηρίων κυρίους ἑαυτοὺς ποιήσαντες εἰς ἄκρατον δημοκρατίαν ἐνέβαλον τὴν πόλιν. *Praec. Ger. Keip.* 10 § 15 (ii 805), βουλὴν τινας ἐπαχθῆ καὶ ὀλιγαρχικὴν κολλούσας, ὥσπερ Ἐφιάλτης Ἀθήνησι..., δύναμιν ἅμα καὶ δόξαν ἔσχον, *ib.* 15 § 18, ὡς Περικλῆς...δι' Ἐφιάλτου τὴν ἐξ Ἀρείου πάγου βουλὴν ἐταπείνωσε. Pausan. i 29, 15, 'Εφ. δὲ τὰ νόμιμα τὰ ἐν Ἀρείῳ πάγῳ μάλιστα ἐλυμήνατο. Cf. Philippi, *Der Areopag.*, pp. 256—271; Busolt, ii 460.

In the *Eumenides* (681—706) we have a well-known defence of the jurisdiction of the Areopagus in matters of homicide, the main point which was left untouched by the reforms of Ephialtes. The date of the play is fixed by the hypothesis to the *Agamemnon* as the archonship of Philocles, Ol. 80, 2 = 459/8; and the list of νῆκαι Διονυσιακαὶ found on the Acropolis in 1886 describes Aeschylus as exhibiting in that year, i.e. in March, 458: 'Εφ. Ἀρχ. 1886, p. 209, quoted in Haigh's *Attic Theatre*, p. 322, [ἐπὶ Φιλο]κλέους...τραγῳδῶν, Ξενοκλῆς Ἀφιδναῖ[ος] ἐχορή[γει], Αἰσχύλος εἰδιδάσκειν. It was held by Meier, Boeckh and K. O. Müller that even the cognisance of cases of homicide was taken away from the Areopagus by Ephialtes and not restored until after the expulsion of the Thirty. Müller (*Dissertation on Eum.* § 36) went so far as to affirm that the motion of Ephialtes was carried *after* the representation of the *Eumenides*, whereas Diodorus places it two years earlier (460) and the text four years earlier. The fact that they retained their jurisdiction in cases of homicide is clearly stated by Philochorus (*l.c.*) and has been conclusively proved by Forchhammer (1828). The very privilege that the reformers left untouched is prominently brought forward by the poet.

τὰ ἐπίθετα δι' ὧν ἦν ἡ τῆς πολιτείας φυλακή, καὶ τὰ μ[έν τ]οῖς πεντακοσίοις, τὰ δὲ τῷ δήμῳ καὶ τοῖς δικαστηρίοις ἀπέδωκεν. 10
3 ἔπραξε δὲ ταῦτα συναιτίου γενομένου Θεμιστοκλέους, ὃς ἦν μὲν

11 ΕΠΡΑΞΕ?, ἔπραξε B, ἔπραττε K etc.

ΓΕΝ: γυν· Richards, γυν· H-L.

11 *Isocr. Areopagitici argumentum (ed. Benseler, p. lviii; Schol. in Aeschin. etc. Dind. p. 111; Orat. Att. ed. Turicensis, ii p. 6): 'Εφιάλτης τις καὶ Θεμιστοκλῆς χρεωστούντες τῇ πόλει χρήματα καὶ εἰδότες ὅτι, ἐὰν δικασθῶσιν (δικάσωσιν Bens.) οἱ Ἄρεοπαῖται, πάντως ἀποδώσουσι, καταλῦσαι αὐτοὺς ἔπεισαν τὴν πόλιν, οὕτως οὕτως τινὸς μέλλοντος κρηθῆναι. "ὁ γὰρ Ἄρ. λέγει ἐν τῇ πολ. τῶν Ἀθ. ὅτι καὶ ὁ Θεμιστοκλῆς αἴτιος ἦν μὴ πάντα (πάντως cod. Mustoxydis) δικάζην τοὺς Ἄρεοπαῖτας" (Rose, Frag. 366², 404³)· δῆθεν μὲν, ὡς δι' αὐτοὺς τοῦτο ποιοῦντες, τὸ δ' ἀληθὲς διὰ τοῦτο πάντα κατασκευάζοντες. εἴτα οἱ Ἀθηναῖοι ἀσμένως ἀκούσαντες τῆς τοιαύτης συμβουλῆς κατέλυσαν αὐτοὺς.

Cf. Philippi, *Areop.* pp. 264, 290, and Grote, c. 46 (iv 112 n).

τὰ ἐπίθετα] These 'additional privileges' include almost everything except the ancient prerogatives of the Areopagus in connexion with trials for homicide. The legend of Orestes and the history of the first Messenian war (B.C. 743) alike imply that it had jurisdiction in such cases 'from of old,' Pausan. iv 5 § 2 *δικας τὰς φονικὰς...δικάζην ἐκ παλαιῶν*. Cf. Meier and Schömann, *Att. Process*, ed. Lipsius, p. 11.

Harpocr. s. v. ἐπιθέτους ἐορτάς defines them as τὰς μὴ πατρίους (cf. c. 3, 16—18), and adds: ἐλέγετο δὲ παρ' αὐτοῖς καὶ ἄλλα ἐπίθετα τινα, ὅποσα μὴ πάτρια ὄντα ἢ ἐξ Ἀρείου πάγον βουλή ἐδίκασεν, ὡς σαφὲς ποιεῖ Λυσίας κτλ (cf. Philippi, *Areop.* 157). The reference to Lysias shews that the ἐπίθετα meant by Harpocr. are after the time of the Thirty and are not the same as those meant in the text.

φυλακή] c. 4 § 4 φύλαξ, and 8 § 4, ἐπίσκοπος. Schömann's *Anf.* pp. 332 and 493, E. T. Among the privileges now taken away from the Areopagus would be the general superintendence of education and of public morals, e.g. the enforcing of the ancient νόμος ἀργίας. Grote, c. 46, iv 112; Schömann, p. 498; Philippi, *Areop.* pp. 162—170, 268—272.

τῷ δήμῳ] Cic. *de Rep.* i 43, 'Athenienses quibusdam temporibus sublato Areopago nihil nisi populi scitis ac decretis agebant.'

τοῖς δικαστηρίοις] Thus, the jurisdiction in cases of ἀσέβεια seems in general to have been transferred to the law-courts; but certain forms of ἀσέβεια continued to be tried by the Areopagus, esp. the offence of doing damage to the sacred olive-trees (Lys. *Or.* 7). Schömann, p. 498. On the general question, cf. Philippi, *Areop.* pp. 272—289.

§ 3. συναιτίου γενομένου Θεμιστοκλέους] Hitherto, the attack on the Areopagus has been generally attributed to Ephialtes and Pericles (*Pol.* 1274 a 7); the present passage assigns a prominent part to Themistocles. The only other authority for associating Themistocles with Ephialtes on this occasion is to be found in the argument to the *Areopagiticus* of Isocrates (see *Testimonia*), probably due to a Christian writer in the sixth century (Rose, *A. P.*, p. 423). Duncker, *G. d. A.* viii 258—260, discusses the account just mentioned. He attributes the attack on the part of Themistocles to a change of policy in the Areopagus due to its now containing a large number of ex-archons who had been merely appointed by lot and not by open election.

The text implies that Themistocles was still at Athens in 462 B.C., whereas, according to the current view, he was ostracised in 471 B.C. (Diod. xi 54) and fled to Persia about 466 B.C. In his flight he passed through the Athenian fleet which was besieging Naxos (Thuc. i 137 § 2, and Plut. *Them.* 25 § 1). The reduction of Naxos took place before the battles at the Eurymedon (Thuc. i 100 § 1), which are assigned to 466. Xerxes died in 465 and, according to Thuc. i 137 § 3, Themistocles on his arrival at the Persian court found Artaxerxes νεωστὶ βασιλεύοντα. Besides Thucydides, Charon of Lampsacus, one of the λογογράφοι prior to Herodotus, is quoted by Plutarch, *Them.* 27 § 1, as making Themistocles reach the court after the death of Xerxes. The authorities there quoted, as making him arrive before the king's death, are Ephorus, Deinon, Cleitarchus and Heraclides; but the account of Thuc. is accepted as 'agreeing better with the dates, although these again have not been firmly settled beyond dispute.'

12 τῶν Ἀρεοπαγιτῶν, ἔμελλε δὲ κρίνεσθαι μηδισμοῦ. βουλόμενος δὲ

If the narrative in the text is accepted, Themistocles was at Athens in 462, awaiting his trial on the charge of Medism. This must be the first accusation, prior to his ostracism, and on this charge (according to Diod. xi 54) he was acquitted (Grote, c. 44, iv 36, 37). The second accusation, which is the only one mentioned by Thuc. (i 135 § 1), and Plut. (*Them.* 23), was not brought forward until after his banishment. We should then be compelled to place his ostracism not earlier than 461, and his flight to Persia about 460, when Artaxerxes had been on the throne for about five years. To reconcile this with νεωστὶ in Thuc., Mr Kenyon suggests that 'the fifth year of a king who ruled for forty might well be spoken of as in the beginning of his reign.' But the incident connected with the siege of Naxos makes it impossible to make the narrative in the text agree with the account in Thuc. Mr Kenyon proposes two alternatives: either (1), the story of the flight of Them. should be connected with some operations about 460 B.C. and not with the siege of Naxos; or (2), there were two inconsistent accounts of the latter years of Them., that adopted by Thuc. and that in the present text. We can hardly hesitate in choosing the second alternative, and in following the authority of Thucydides. Cf. Abbott, *Hist. Gr.* ii 386—8.

The chronology of this period has been investigated anew by Bauer, who implicitly accepts the statement in the text, and accordingly alters the date of the siege of Naxos. His dates as compared with those of Clinton are as follows:

	Clinton	Bauer
Siege of Naxos	466	460 (spring)
battle of Eurymedon	"	" (autumn)
revolt of Thasos	465	459 (spring)
third Messenian war	464	" (summer?)
defeat at Drabescus	465	" (autumn)
Thasos subdued by Cimon	463	457 (spring)
expedition to Egypt	460	456 (spring)
ostracism of Cimon	461	455 (spring)
recall of Cimon	456	452 (winter)
end of Egyptian war	455	450 (spring)
death of Cimon	449	443

These dates involve setting aside the text of Thuc. iv 102 in two points: in § 1 we are told that the defeat at Drabescus was 32 years after the failure of Aristagoras to establish himself on the Strymon, and (*ib.* § 2) 28 years before the founding of Amphipolis (in 437 B.C.), Schol. Aeschines ii 31. It is more in accordance with the narrative in Hdt. v 126 to place the failure of Aristagoras

in B.C. 497 than in 491. Again, the alliance with Argos is placed late in 457, whereas the *Ennemides* of Aeschylus, which contains a clear reference to this alliance (l. 290, 757—766), was performed in March, 458, more than a year earlier (*Athenaeum*, 1891, p. 317). See also Mr E. M. Walker in *Class. Rev.* vi 95—99.

It is remarkable that in Plutarch's *Life of Themistocles* not a word is said as to his having taken any part in the attack on the Areopagus. In this connexion Plutarch mentions Ephialtes and Pericles alone (note on § 2, περικείμετο). We must infer either (1), that Plutarch had no first-hand acquaintance with this treatise; or (2), that he carelessly omitted to notice this narrative; or (3), that he had no such narrative in his copy.

Against (1) we may set the fact that in 10 § 3 Plutarch quotes Aristotle as his authority for a statement found in c. 23 § 1, and also for the murder of Ephialtes mentioned at the end of this very chapter. But this makes Plutarch's silence on Themistocles all the more singular. (Cf. Abbott, *Hist. Gr.* ii 518.)

Against (2) it may be remarked that the story would have admirably illustrated the duplicity of Themistocles, and as such would naturally have been welcomed by the biographer. Mr Kenyon suggests that the omission 'can hardly be explained except on the theory that in actually writing his lives he used the notes and extracts he had previously made without having the complete work before him'; but this puts the difficulty only one stage further back, and compels us to ask how Plutarch came to omit to make any note of this narrative. He accepts the statement in Thucydides that Themistocles reached the Persian court after the death of Xerxes as in better agreement with the dates. This implies that the biographer had paid some attention to the chronology of the time. It seems possible therefore that he rejected the narrative on the ground that it did not fit in with the date of the siege of Naxos, which Plutarch, following Thucydides, mentions in connexion with the flight of Themistocles. But even supposing he deliberately rejected the narrative, it is strange that he says nothing about it. His treatment of his authorities is, however, by no means systematic and uniform. In his *Life of Themistocles*, he quotes no less than 30 different authorities of very various degrees of importance. Even Thucydides does not command his

καταλυθῆναι τὴν βουλὴν ὁ Θεμιστοκλῆς πρὸς μὲν τὸν Ἐφιάλτην ἔλεγεν ὅτι συναρπάξαι αὐτὸν ἢ βουλή μέλλει, πρὸς δὲ τοὺς Ἀρεοπαγίτας ὅτι δείξει τινὰς συνισταμένους ἐπὶ καταλύσει τῆς πολιτείας. ἀγαγὼν δὲ τοὺς αἰρεθέντας τῆς βουλῆς οὐ διέτριβεν ὁ Ἐφιάλτης, ἵνα δείξῃ τ[οῦ]ς ἀθροισμένους, διελέγετο μετὰ σπουδῆς 4 αὐτοῖς. ὁ δ' Ἐφιάλτης ὡς εἶδεν καταπλαγεῖς καθίζει μονοχίτων

16 ἀφαιρεθέντας (K): αἰρεθέντας? K (K-W, B); αἰρεθέντας ὑπὸ Richards; ἐφαιρεθέντας H-L, coll. Thuc. iv 38; ἐξ- Poland. ΟΥ: οἱ H-L.

undivided allegiance. With regard to the adventures of Themistocles in Asia, while respecting the chronology of Thucydides, Plutarch disdains to reproduce the historian's account of those adventures, following by preference the untrustworthy romance of Phanias of Eresos (Holden's *Introd.* §§ 17, 22). Such a fact detracts considerably from his authority as a judicious critic of the materials which he had before him.

As to (3), Prof. Tyrrell in the *Quarterly Review*, 1891, p. 344, infers from the silence of Plutarch that he 'never read the work before us. But he had certainly read some other treatise ascribed to Aristotle on the *Athenian Constitution*; therefore there must have been other editions of the *Athenian Constitution* circulating under the name of Aristotle.' Yet both the passages, which Plutarch in his *Themistocles* quotes as from this treatise, are to be found in the edition which we possess. Prof. Tyrrell regards the description of this attack on the Areopagus as 'very bald and feeble.' Such a consideration might point to its not being by the same hand as the main bulk of the treatise; and suggest that, without our assuming that it was absent in Plutarch's copy, it might on this ground alone be regarded as an interpolation. But the style of the narrative does not appear to me to differ materially from that of the context, and I should therefore prefer to attribute it to the same author as the rest of the treatise. But, while the narrative may be genuine, we can hardly regard it as authentic. The celebrated story of the proposal of Themistocles to burn the Hellenic fleet at Pagasae is described by Grote (v 27, note 2) as 'probably the invention of some Greek of the Platonic age'; and the present narrative has probably no earlier origin.

ἦν τῶν Ἀρεοπαγιτῶν] He owed this position to the fact that he had been archon in 482/1; see note on c. 22 § 7.

συναρπάξαι] The object of Themisto-

cles perhaps was to inveigle the Areopagus into exposing itself to a charge of attempting to 'pounce upon' an influential citizen. It was one of the things remembered against the Thirty that they 'pounced on' citizens in this way, Lys. 12 § 96 (Newman).

τοὺς αἰρεθέντας] τοὺς ἀφαιρεθέντας, if retained, means not 'the persons despatched by the Areopagus,' but 'members of the Council of the Areopagus selected and set apart for the purpose.' *Hist. An.* 6, 22, 576 b 23, ὥρα δ' οὐκ ἀφαιρείται οὐδεμία ἀφωρισμένη (*Class. Rev.* v 164 a). ἀφαιρεῖσθαι, however, is very rarely used in this sense.

'In Lys. 13 § 23 the *Codex Palatinus* has οἱ διαιερέντες τῶν βουλευτῶν, where Reiske's correction οἱ αἰρεθέντες has been generally accepted; Weidner, however, proposes οἱ δέκα αἰρεθέντες' (Wyse).

οὐ διέτριβεν] usually understood as 'the house of' Ephialtes. In c. 16 we have ἐν τῷ ἄστει διατρίβωσιν. It need not imply anything so definite as a 'house': it may refer to any public place, such as the precincts of a temple. Ephialtes, on receiving the hint that the Council was intending to arrest him, may well have taken the precaution of being not only in the company of his friends but also within reach of sanctuary in the neighbourhood of a βωμός.

§ 4. καθίζει—ἐπὶ τὸν βωμόν] On altars as places of refuge, cf. Eur. *Ion*, 1257—1260, ποῖ φύγω δῆτ'; ... ποῖ δ' ἂν ἄλλος, ἢ πῖ βωμόν; μονοχίτων] 'wearing his tunic only,' instead of the ἱμάτιον as well. Such a guise would be appropriate to his position as a suppliant. The word is formed on the analogy of μονόπεπλος 'wearing but one robe,' 'wearing the tunic only,' Eur. *Hec.* 933 = ἄπεπλος, 'without the upper garment'; Pind. *N.* i 74. But, hitherto, it has not been found earlier than Polybius (fragm. xiv 11, 2). It was also quoted from Pythaeetus, *ap. Athen.* 589 F, Μέλισσα ἀναμπεχόνος καὶ μονοχίτῳ ἦν. τὸν βωμόν] The article is

ἐπὶ τὸν βωμόν. θαυμασάντων δὲ πάντων τὸ γεγον[ος] καὶ μετὰ
 20 ταῦτα συναθροισθείσης τῆς βουλῆς τῶν πεντακοσίων κατηγόρου
 τῶν Ἀρεοπαγιτῶν ὃ τ' Ἐφιάλτης καὶ <ὁ> Θεμιστοκλῆς, καὶ πάλιν
 ἐν τῷ δήμῳ τὸν αὐτὸν τρόπον, ἕως περιείλοντο αὐτῶν τὴν δύναμιν.
 καὶ <ὁ> μὲν Θεμιστοκλῆς — —, ἀνηρέθη δὲ καὶ ὁ Ἐφιάλτης δολο-
 φονηθεὶς μετ' οὐ πολλὸν χρόνον δι' Ἀριστοδίκου [τ]οῦ Ταναγραίου.

26. ἡ μὲν οὖν τῶν Ἀρεοπαγιτῶν βουλή τοῦτον τὸν τρόπον
 ἀπεστερήθη τῆς ἐπιμελείας. μετὰ δὲ ταῦτα συνέβαινε ἀνίσθαι
 μᾶλλον τὴν πολιτείαν διὰ τοὺς προθύμως δημαγωγούντας. κατὰ
 γὰρ τοὺς καιροὺς τούτους συνέπεσε μὴδ' ἡγεμόνα ἔχειν τοὺς ἐπιει-
 5 κστεροὺς, ἀλλ' αὐτῶν προεστάναι Κίμωνα τὸν Μιλτιάδου, ἡνεώτε-

21 <ὁ> Θεμ. K-W, H-L, B.

λοντο H-L.

J B Mayor, Blass, (H-L).

22 ΠΕΡΕΙΛΟΝ⁷⁰: περιείλοντο K, K-W, B; παρεί-

23 καὶ <ὁ> μὲν Θεμιστοκλῆς — —, ἀνηρέθη δὲ κτλ K-W. καὶ om.

XXVI 4 Post ἡγεμόνα adiectivum (velut ἔμπειρον) desiderat Richards, σπουδαῖον
 Gennadios; an ἡγεμόνα ἔχειν ἱκανόν? 5 νεώτερον: νωθρότερον? Kontos, K-W;
 idem mavult Herwerden qui ἀνούστερον coniecerat; 'fort. νωθρόν' B; νωθέστερον vel
 ἐνεώτερον Weil (*Journal des Savants*, Avril, 1891); aliquid eiusmodi desiderabat Wyse;
 quondam ἀβέλτερον conieci; στρατιωτικώτερον (coll. Polyb. 23, 10, 4 στρατιωτικώτερος
 ἡ πολιτικώτερος) vel πολεμικώτερον Richards, cf. Plut. *Præc. Ger. Reip.* c. 16 § 22
 ἣν γὰρ ὁ μὲν (Περικλῆς) πρὸς πολιτείαν, ὁ δὲ (Κίμων) πρὸς πόλεμον εὐφύεστερος.

TESTIMONIA. XXV 23, 24 * Plut. *Per.* 10 (infra exscriptum).

peculiar. If the 'house' of Eph. is meant, it implies 'the family altar.' Otherwise, some notable altar may be intended, such as the 'altar of the twelve gods' (so Milchhöfer in Curtius, *Stadtgeschichte*, p. cxxi), or that of Ζεὺς ἀγοραῖος. The latter was near the στοὰ βασιλείος where meetings of the Areopagus were sometimes held (Dem. 25 § 23). Cf. Lys. 13 § 4 καθίζουσιν ἐπὶ τὸν βωμόν Μουνιχίαςιν and § 54, ἐπὶ τοῦ βωμοῦ ἐκάθητο.

τῶν πεντακοσίων] added to contrast the βουλή of the Five Hundred with that of the Areopagus mentioned in the context.

ἀνηρέθη] Plut. *Per.* 10 *ad fin.* Ἐφιάλτην ... ἐπιβουλευσάντες οἱ ἔχθροί δι' Ἀριστοδίκου τοῦ Ταναγραικοῦ (v. l. -αίου) κρυφαίως ἀνείλον, ὡς Ἀριστοτέλης εἰρκεν. In the same chapter Plutarch quotes and rejects the account of Idomeneus, κατηγοροῦντι τοῦ Περικλέους, ὡς τὸν δημαγωγὸν Ἐφιάλτην φίλον γενόμενον καὶ κοινωνὸν ὄντα τῆς ἐν τῇ πολιτείᾳ προαιρέσεως δολοφονήσαντος διὰ ζηλοτυπίας καὶ φθόνου τῆς δόξης. Diod. xi 77, 6, τῆς νυκτὸς ἀναιρεθεὶς ἀδελφὸν ἔσχε τὴν τοῦ βίου τελευτήν. [Plat.] *Axiach.* 368 D, ποῦ δ' Ἐφιάλτης (τέθνηκε); Antiph. 5 § 68, οὐδέ ποῦ νῦν εὔρηται οἱ ἀποκτείναντες.

XXVI. Cimon.

§ I. ἀνίσθαι—πολιτεῖαν] The metaphorical use of ἀνίσθαι is common in

Ar. e.g. *Rhet.* i 4, 1360 a 24, πολιτεῖαι καὶ ἀνιέμεναι καὶ ἐπιτεινόμεναι φθείρονται (with Cope's note), *Pol.* v 1, 1301 b 17, ἵνα ἐπιταθῶσιν ἢ ἀνεθῶσιν αἱ πολιτεῖαι, vi (iv) 3, 1290 a 28, πολιτεῖαι ἀνιέμεναι καὶ μαλακαὶ (opp. to συντονώτεραι), iv (vii) 4, 1326 a 28, πολιτεία ἀνεμένη πρὸς τὸ πλήθος. The origin of the metaphor (from the strings of a musical instrument) may be seen in *Pol.* v (viii) 7, 1342 b 22, ἀρμονία ἀνιέμεναι opp. to σύντονον.

For the facts, cf. Plut. *Cimon* 15, ὡς δὲ πάλιν ἐπὶ στρατείαν ἐξέπλευσε, τελέως ἀνεθέντες οἱ πολλοὶ καὶ συγχέοντες τὸν καθεστῶτα τῆς πολιτείας κόσμον τὰ τε πάτρια νόμιμα, οἷς ἐχρῶντο πρότερον, Ἐφιάλτου προεστῶτος ἀφείλοντο τῆς ἐξ Ἀρείου πάγου βουλῆς τὰς κρίσεις πλὴν ὀλίγων ἀπάσας, καὶ τῶν δικαστηρίων κυρίως ἑαυτοὺς ποιήσαντες εἰς ἄκρατον δημοκρατίαν ἐνέβαλον τὴν πόλιν, ᾗδ καὶ Περικλέους δυναμένου καὶ τὰ τῶν πολλῶν φρονούντος. The time to which Plutarch refers is later than Cimon's subjugation of Thasos (463 Clinton; 457 Bauer). He is following those who place the beginning of the influence of Pericles at an earlier date than that assumed in the present treatise.

τοὺς—δημαγωγούντας] *Pol.* 1274 a 14, δημαγωγούς ἔλαβε φαύλους.

νεώτερον] possibly means 'rather young'

ρον ὄντα καὶ πρὸς τὴν πόλιν ὀψὲ προσελθόντα, πρὸς δὲ τούτοις ἐφθάρθαι τοὺς πολλοὺς κατὰ πόλεμον· τῆς γὰρ στρατείας γυγνομένης ἐν τοῖς τότε χρόνοις ἐκ καταλόγου, καὶ στρατηγῶν ἐφισ[τ]αμένων ἀπειρῶν μὲν τοῦ πολεμεῖν τιμωμένων δὲ διὰ τὰς πατρικὰς δόξας, αἰεὶ συνέβαινε τῶν ἐξιόντων ἀνὰ δισχιλίους ἢ τρισχιλίους ¹⁰ ἀπόλλυσθαι, [ὥ]στε ἀναλίσκεσθαι τοὺς ἐπικεικὲς καὶ τοῦ δήμου καὶ

7 ΓΙΝ (K-W).

10 ΔΙΕΙ (K, K-W).

to be the leader of a great political party. But, as Cimon had fought at Salamis 18 years before (Plut. *Cim.* 5), he could hardly have been less than 36 in B.C. 462; and was probably more than 40, if we place his birth in 504 (the date given on p. 39 of Ekker's ed. of Plut. *Cim.*). His birth should probably be placed earlier, as he was στρατηγός (and therefore over 30) at Eion in 476 (Thuc. i 98). Again, Pericles, who was probably born in B.C. 493, is described as a young man (νέος ὢν, 27 § 1), when he made his reputation by accusing Cimon, presumably after the expedition to Thasos, 463. How then can Cimon, who was obviously older than Pericles, and who had won the battle of Eurymedon three years before, be described as 'rather young' shortly after B.C. 462? νεώτερον has therefore been generally regarded as corrupt, and various emendations have been suggested, expressive of Cimon's inadequacy for the position of a political leader. The fact that his intellectual development was somewhat tardy is implied in the story preserved by Aristides, ii 203 Dind., according to which his guardians did not allow him to manage his own property until some time after he had come of age (μέχρι πόρρω τῆς ἡλικίας), while in Plut. *Cim.* 4 he is said to have resembled his father in εὐθθεια. (Cf. Wyse in *Class. Rev.* v 274 b.) The combination of νεώτερον and ὀψὲ προσελθόντα is in itself open to suspicion.

νοθρότερον (which has been suggested) is found in Ameipsias, frag. 16, Pollux ix 138; cf. the description of Chares in Theopompus, frag. 288, νοθροῦ τ' ὄντος καὶ βραδέος. See also Schol. to Aristides in iii 515, 8—10 and 517, 28—30 Dind.

νεώτερον is, however, retained by Bauer (p. 101), who suggests that, under the influence of the Areopagus, the leaders of the political parties had generally been elderly men. Mr E. M. Walker (*Class. Rev.* vi 98) holds that the epithet is consistent with c. 25 which implies that Themistocles was at Athens in 462: 'it

is only when we recognise that the author ... put the battle of Eurymedon some eight years too late, and that the interval between Tanagra and the five years' truce found no place in his historical retrospect, that we can understand how he came to apply to Cimon in the year 462 those much discussed words νεώτερον ὄντα καὶ πρὸς τὴν πόλιν ὀψὲ προσελθόντα.'

πρὸς τὴν πόλιν ὀψὲ προσελθόντα] 'having been rather late in entering on public life.' I am not aware of any exact parallel to this phrase; but we have something like it in c. 27 § 1, πρὸς τὸ δημαγωγεῖν ἐλθόντος.

ἐκ καταλόγου] 'from the roll of hoplites,' as contrasted with the mercenary troops that came into vogue at a later date.

πατρικὰς] here 'ancestral.' See c. 28 § 5.

ἀνὰ δισχιλίους—ἀπόλλυσθαι] Isocr. *De Pace* § 87 (of the losses sustained by Athens in her pursuit of supremacy at sea), τοὺς κατὰ χιλίους καὶ δισχιλίους ἀποθνήσκοντας τίς ἂν ἀριθμήσειεν; *Pol.* viii (v) 3, 1303 a 9, καὶ ἐν Ἀθήναις ἀνυχούτων περὶ οἱ γνώριμοι ἐλάττους ἐγένοντο διὰ τὸ ἐκ καταλόγου στρατεύεσθαι ὑπὸ τὸν Λακωνικὸν πόλεμον.

ἀπόλλυσθαι] Between 462 and 457 B.C. the Athenians were defeated by the Corinthians at Halieis (458; Thuc. i 105, 1), and by the Lacedaemonians at Tanagra (457; *ib.* 108, 1). The operations in Egypt, which had been begun in 460, came to an unsuccessful conclusion in 455 (*ib.* 110, 1). On the other hand, they were victorious over the Peloponnesians on the sea at Kekryphaleia, and over the Aeginetans in a naval engagement in 458 (Thuc. i 105, 1—2). During the absence of the main body of the Athenian soldiers in Egypt and Aegina, Myronides defeated the Corinthians in the territory of Megara (458, i 105, 4). In 456 the Athenians defeated the Boeotians at Oenophyta, and in the same year Aegina yielded to Athens.

τῶν εὐπόρων. τὰ μὲν οὖν ἄλλα πάντα διόφκουν οὐχ ὁμοίως καὶ 2
 πρότερον τοῖς νόμοις προσέχοντες, τὴν δὲ τῶν ἐννέα ἀρχόντων
 αἵρεσιν οὐκ ἐκίνουν, ἀλλ' ἔκτω ἔτει μετὰ τὸν Ἐφιάλτου θάνατον
 15 ἔγνωσαν καὶ ἐκ ζευγίων προκρίνεσθαι τοὺς κληρωσομένους τῶν
 ἐννέα ἀρχόντων, καὶ πρῶτος ἦρξεν ἐξ αὐτῶν Μνησιθίδης. οἱ δὲ
 πρὸ τούτου πάντες ἐξ ἰππέων καὶ πεντακοσιομεδίμων ἦσαν, οἱ
 <δὲ> ζευγίται τὰς ἐγκυκλίους ἦρχον, εἰ μὴ τι παρεωράτο τῶν ἐν
 τοῖς νόμοις. ἔτει δὲ πέμπτῳ μετὰ ταῦτα ἐπὶ Λυσικράτους ἄρχον- 3
 20 τος οἱ τριάκοντα δικασταὶ κατέστησαν πάλιν οἱ καλούμενοι κατὰ
 δῆμους· καὶ τρίτῳ μετὰ τοῦτον ἐπὶ Ἀντιδότου διὰ τὸ πλῆθος τῶν 4
 πολιτῶν, Περικλέους εἰπόντος, ἔγνωσαν μὴ μετέχειν τῆς πόλεως ὅς
 ἂν μὴ ἐξ ἀμφοῖν ἀστοῖν ἢ γεγονώς.

12 οὐχ quondam deiebat Wyse. 14 ἀλλ' ἢ Blass (H-L). 18 δὲ add. κ
 (edd.). post παρεωράτο deletum ὑπὸ τῶν δῆμων retinent H-L. 21 ΜΕΤΑΓ-
 ΤΟΝ ante corr. (K¹, H-L, B); μετὰ τοῦτον post corr. (K-W, K²). 23 HN: corr. K.

§ 2. οὐχ ὁμοίως—προσέχοντες] The main change was the reduction of the power of the Areopagus. But while, in this and other respects, Athens departed from her previous constitutional arrangements, she retained the limitations under which the archons were appointed from among the first and second classes of citizens. It was not until 457 that the archonship was thrown open to members of the third class.

ἔκτω ἔτει] It was in 462 B.C. that Ephialtes overthrew the Areopagus; and 457 is the date of the change in the archonship immediately before the archonship of Mnesitheides. The latter event is 5 years (or in the sixth year) after the former. The change in the archonship is here described as happening in the sixth year 'after the death of Ephialtes.' It follows (as observed by Mr Kenyon) that Ephialtes was put to death in the year in which he overthrew the Areopagus.

ἐκ ζευγίων] Originally the office of archon was open to members of the first class only (cf. c. 7 § 3 and Plut. *Arist.* 1). In course of time it became open to the second class, possibly after the Persian wars, when, according to Plut. *Arist.* 22, the archonship was made accessible to 'all the Athenians,' on the motion of Aristides, who (after the battle at Plataea) γράφει ψήφισμα κοινὴν εἶναι τὴν πολιτείαν καὶ τοὺς ἄρχοντας ἐξ Ἀθηναίων πάντων αἰρεῖσθαι. Lastly, in 457 we here have the office open to the third class. It was

never legally open to the fourth class (c. 7 *ad fin.*). Cf. Abbott, *Hist. Gr.* ii 385—6.

προκρίνεσθαι] 8 § 1; 22 § 5.
 κληρωσομένους τῶν ἐννέα ἀρχόντων] sc. ἀρχήν. Lysias 6 § 4, εἰάν ἐλθῃ κληρωσο-
 μένος τῶν ἐννέα ἀρχόντων καὶ λάχῃ βασι-
 λεύς, and ib. 24 § 13, τί με κωλύει κληροῦ-
 σθαι τῶν ἐννέα ἀρχόντων;

Μνησιθίδης] B.C. 457/6.
 τὰς ἐγκυκλίους] sc. ἀρχάς, 'the ordinary (i.e. inferior) offices.' Pol. i 7, 1255 b 25, τὰ ἐγκύκλια διακονήματα, ii 5, 1263 a 21, τὰς διακονίας τὰς ἐγκυκλίους, ii 9, 1269 b 35, χρησίμου δ' οὐσης τῆς θρασυτήτος πρὸς οὐδὲν τῶν ἐγκυκλίων ἄλλ' εἶπερ πρὸς τὸν πόλεμον. The term had already been similarly used by Isocr. 3 § 22, ἐν τοῖς ἐγκυκλίοις καὶ τοῖς καθ' ἡμέραν ἐκάστην γιγνομένοις, and *de Pace* 87. Inf. c. 43, l. 3.

εἰ μὴ τι παρεωράτο] 'assuming the laws were strictly observed'; in other words, the members of the third class were, *strictly speaking*, eligible for the ordinary offices alone; but occasionally by an oversight they were elected to the office of archon. Similarly, in later times even members of the fourth class became archons, although not legally qualified.

§ 3. ἐπὶ Λυσικράτους] B.C. 453/2.

οἱ τριάκοντα] 16 § 5.

§ 4. ἐπὶ Ἀντιδότου] B.C. 451/0.

Περικλέους εἰπόντος—γεγονώς] Pol. iii 5, 1278 a 34, τέλος δὲ μόνον τοὺς ἐξ ἀμφοῖν ἀστῶν πολίτας ποιοῦσιν. Plut. *Pericles* 37, ἀκμάζων ὁ Περικλῆς ἐν τῇ πολιτείᾳ πρὸ πάντων πολλῶν χρόνων καὶ παῖδας ἔχων

27. μετὰ δὲ ταῦτα πρὸς τὸ δημαγωγεῖν ἐλθόντος Περικλέους, καὶ πρῶτον εὐδοκίμησαντος ὅτε κατηγορήσῃ τὰς εὐθύνας Κίμωνος στρατηγούντος νέος ὧν, δημοτικωτέραν ἔτι συνέβη γενέσθαι τὴν πολιτείαν· καὶ γὰρ τῶν Ἀρεοπαγιτῶν ἓν ἅπαρ παρείλετο, καὶ μάλιστα προϋτρέψεν τὴν πόλιν ἐπὶ τὴν ναυτικὴν δύναμιν, ἐξ ἧς συνέβη 5

XXVII 2 ΠΡΩΤΟΥ: πρὸ τοῦ Jackson, van Leeuwen; πρῶτον Blass alii (K-W, H-L, K³). 4 ΠΑΡΕΙΛΕΤΟ (K, H-L, B): περιέλετο K-W, cf. 25 vv. 8, 22. 5 προϋτρέψε H-L.

...γενήσους, νόμον ἔγραψε μόνους Ἀθηναίους εἶναι τοὺς ἐκ δυνεῖν Ἀθηναίων γεγονότας. Aelian *Var. Hist.* vi 10, xiii 24, frag. 68. Cf. Isaeus 8 § 19; 12 § 9; Aeschin. i § 39. Philippi, *Bürgerrecht*, p. 69 seq.

The text places this event early in the public career of Pericles: Plutarch places it later. It has been argued that no such law could have been proposed by Pericles (see Buermann, *Jahrb. f. cl. Phil.* Suppl. Bd ix 624-5, 1878; Gilbert, *Gr. St.* i 179; Schenkl, *Wiener Studien*, ii 171; Duncker, *Bericht d. Berl. Akad.*, 1883, p. 935; Busolt in Müller's *Handbuch* iv 1, 141). According to these, the 'law of Pericles' was really a revision of the list of citizens in 445/4 (*Athenaeum*, 1891, 435 c). See also Westermann's Introduction to Dem. *Eubulides*.

XXVII. Pericles.

§ 1. κατηγορήσῃ—Κίμωνος νέος ὧν] Plutarch, *Cim.* 14, states that Cimon was put on his trial on his return from the reduction of Thasos on the ground that he had been bribed not to follow up his success by an invasion of Macedonia: δίκην ἔφυνγε (ἔφυνγε? cf. Plut. *Per.* 10, ὅτε—δίκην ἔφυνγε) τῶν ἐχθρῶν συστάντων ἐπ' αὐτόν. He also quotes from Cimon's contemporary, Stesimbrotus, the story of Cimon's sister Elpinice appealing to Pericles (οὗτος γὰρ ἦν τῶν κατηγορῶν ὁ σφοδρότατος) in favour of her brother. The result was that Pericles ἐν γε τῇ δίκῃ πρότατον γενέσθαι τῷ Κίμωνι καὶ πρὸς τὴν κατηγορίαν ἅπαρ ἀναστήναι μόνον, ὥσπερ ἀφοσιούμενον. In Plut. *Pericles* 10, he is described as εἰς τῶν κατηγορῶν...ὑπὸ τοῦ δήμου προβεβλημένος, and as having done less than the rest of the prosecutors to damage the cause of Cimon. Cimon's expedition to Thasos has generally been placed in B.C. 465-3. The date suggested by Bauer for the revolt of Thasos is 459, and for its reduction (τρίτῳ ἔτει, Thuc. i 101) 457.

εὐθύνας] 59 § 2, στρατηγοῖς εὐθύνας. τῶν Ἀρεοπαγιτῶν ἓν ἅπαρ παρείλετο] Plutarch, *Pericles* 9, describes Pericles as

attacking the Areopagus after he had instituted pay for the law courts at the instance of 'Damonides.' He also states that it was by the aid of Ephialtes that he deprived the Areopagus of the greatest part of its jurisdiction. In the text, which Plutarch professes to follow, by quoting Aristotle as his authority for 'Damonides,' the present attack on the Areopagus is placed *before* the account of the payment of the law courts; and Ephialtes is no longer alive (c. 25 § 4).

παραιρεῖσθαι, in mid., is used of 'disfranchising persons' in *Pol.* iii 5, 1278 a 32, εὐποροῦντες δὴ ὄχλου κατὰ μικρὸν παραιροῦνται τοὺς ἐκ δούλου πρῶτον ἢ δούλης, 14, 1285 b 16, τῶν ὄχλων παραιρουμένων (of the withdrawal of royal privileges on the part of the people), viii (v) 10, 1311 b 6, γυναῖκα παρελέσθαι, to seduce. In Hdt. ii 109, π. τί τις is used in the general sense of 'taking away from,' 'stealing away from.' In c. 15 §§ 3, 4, and twice in 37 § 2, it is applied to ὄπλα.

παραιρεῖσθαι is similarly used of 'stripping off' and 'taking away,' e.g. Dem. p. 246, 23, ἀπάντων...ἐλευθερίαν παρείλετο, *Pol.* vii (vi) 2, 1318 a 1, (τὰ τοιαῦτα δημοτικά)...εἰάν τις καταλεῖθῃ ἐξ ἀρχαίας μεταβολῆς, τότε παραιρεῖσθαι τὴν δύναμιν αὐτῆς καὶ ἐξ αἰρετῶν κληρωτοῦς ποιεῖν. Both words are equally defensible and the ms reading may therefore be retained. We have παραιρεῖσθαι τὰ ἐπίθετα in 25 § 2, and τὴν δύναμιν in 25 § 4; we also have παραιρεῖσθαι στέφανον in c. 57 § 4.

ναυτικὴν δύναμιν] *Pol.* vii (vi) 7, 1321 a 14, ἡ δὲ ψυχὴ δύναμις καὶ ναυτικὴ δημοτικὴ πάμπαν. viii (v) 4, 1304 a 22 (immediately after mention of the influence of the Areopagus), καὶ πάλιν ὁ ναυτικός ὄχλος γενόμενος αἷτιος τῆς περὶ Σαλαμίνα νίκης καὶ διὰ ταύτης (ταύτην *coni.* Susemihl) τῆς ἡγεμονίας διὰ τὴν κατὰ θάλατταν δύναμιν τὴν δημοκρατίαν ἰσχυρότεραν ἐποίησεν. The inhabitants of the Peiraeus, consisting mainly of the ναυτικός ὄχλος, were distinctively democratical.

θαρρήσαντας τοὺς πολλοὺς ἅπασαν τὴν πολιτείαν μᾶλλον ἄγειν εἰς αὐτούς. μετὰ δὲ τὴν ἐν Σαλαμῖνι ναυμαχίαν ἐνὸς δεῖν πεντη- 2 κοστῶ ἔτει ἐπὶ Πυθοδώρου] ἄρχοντος ὁ πρὸς Πελοποννησίου ἐνέστη πόλεμος, ἐν ᾧ κατακλησθεῖς ὁ δῆμος ἐν τῷ ἄστει καὶ συν- 10 εθισθεῖς ἐν ταῖς στρατείαις μισθοφορεῖν, τὰ μὲν ἐκὼν τὰ δὲ ἄκων προηρέϊτο τὴν πολιτείαν διοικεῖν αὐτός. ἐποίησε δὲ καὶ μισθοφόρα 3 τὰ δικαστήρια Περικλῆς πρῶτος, ἀντιδημαγωγῶν πρὸς τὴν Κίμωνος εὐπορίαν. ὁ γὰρ Κίμων, ἅτε τυραννικὴν ἔχων οὐσίαν, πρῶτον μὲν τὰς κοινὰς λητουργίας ἐλγούργει λαμπρῶς, ἔπειτα τῶν δημο-

.α.

6 ΠΑΘΑΝ: πᾶσαν B, ἅπασαν ceteri. 7 ΔΕΙ (H-L, B): δεῖν J E B Mayor, K-W, K². 9 ΕΝΕΣΤΗ: συνέστη H-L: confert K c. 5 vv. 11, 22; 17 v. 15; 41 v. 2, quibus omnibus in locis H-L συνέστη malunt. -ΚΛΙΘΕΙC: -κλεισθεῖς K, cf. 19, 32; -κλησθεῖς K-W, H-L, B. 10 ΣΤΡΑΤΙΑΙC.

TESTIMONIA. 14—18 Heraclidis epitoma (Rose, Ar. Frag. 611, 5³): τοὺς ἰδίους ἀγροὺς ὀπαρίζειν παρείχε τοῖς βουλομένοις, ἐξ ὧν πολλοὺς ἐδείπνιζε. *Plut. Cim. 10 (infra exscriptum).

θαρρήσαντας] c. 22 and 24 § 1.

§ 2. δεῖν] c. 19 end.

ἐπὶ Πυθοδώρου] B.C. 432/1, 48 years after 480/79. Thuc. ii 2, § 1 fixes the date of the beginning of the war as the Spring of 431, Πυθοδώρου ἔτι δύο μῆνας ἄρχοντος.

ἐνέστη] συνέστη has been proposed, on the ground that ἐνέστη refers to a *bellum instans*, and συνέστη to a *bellum ortum*. Thuc. i 15 § 2, κατὰ γῆν δὲ πόλεμος... οὐδεὶς ἐνέστη. It is true that in Isocr. p. 82 B τὸν πόλεμον τὸν ἐνσάντα...τῇ πόλει refers to an imminent war, but it is equally true that in Dem. 255, 10 (cf. 274, 6) the beginning of a war is expressed by ὁ τότε ἐνστάς πόλεμος. Cf. Aeschin. F. L. 58, ἔτι τοῦ πολέμου...ἐνεστηκότος. The latter phrase is contrasted, in the *Rhet. ad Alex.* 3, 1425 a 36, with γίγνεσθαι μέλλον. Ar. *Rhet.* i. 9, 1366 b 23, κατὰ τὸν ἐνεστῶτα καιρόν. Φυσικὴ Ἀκρόασις, iv 13, 222 b 14, ὁ χρόνος ἐγγὺς τοῦ ἐνεστῶτος νῦν.

κατακλησθεῖς—ἄστει] Thuc. ii 13 § 2, (Pericles) παρήγει τὴν πόλιν εἰσελθόντας φυλάσσειν, *ib.* 14—17.

§ 3. ἐποίησε—μισθοφόρα τὰ δικαστήρια] *Pol.* ii 12, τὰ δὲ δικαστήρια μισθοφόρα κατέστησε Περικλῆς. Plut. *Per.* 9. Aristides, ii 192 Dind. Boeckh, II xv; Grote, c. 46, iv 103; Gilbert, *Gr. St.* i 325.

τυραννικὴν—οὐσίαν] Cimon, son of Miltiades, was (on the side of his mother, Hegesipyle) grandson of the Thracian king Olorus (Plut. *Cim.* 4). The fine of 50 talents inflicted on Miltiades was paid by Cimon.

λητουργίας ἐλγούργει] λητουργεῖν and λητουργός are quoted as Attic forms by ancient grammarians (Ammonius 89; Moeris 202; Bekker's *Anecd.* 277, οἱ παλαιοὶ Ἀττικοὶ διὰ τοῦ η̄ ἐλεγον λητουργεῖν); and the forms in λη- are found in inscriptions of the fourth century. In 386 B.C. we have [λη]τουργῶν, CIA ii add. 554 b 14; in the time of Demosthenes and Aristotle, τὰς [λ]λλας λη[του]ργίας καλῶς λητου[ργ]εῖ..., *ib.* 557, 5; in 340—332, λητου[ργ]ῆσαν, *ib.* 172, 4. Meisterhans, *Grammatik d. Attischen Inschriften*, ed. 1888, p. 29, note 174 (Introd. to Dem. *Lept.* p. iii).

τῶν δημοτῶν ἔτρεφε πολλοὺς κτλ] Plut. *Cim.* 10, τῶν τε γὰρ ἀγρῶν τοὺς φραγμοὺς ἀφείλεν, ἵνα καὶ τοῖς ξένοις καὶ τῶν πολιτῶν τοῖς δεομένοις ἀδεῶς ὑπάρχει λαμβάνειν τῆς ὀπώρας, καὶ δεῖπνον οἴκοι παρ' αὐτῷ λιτὸν μὲν, ἀρκοῦν δὲ πολλοῖς, ἐποιεῖτο καθ' ἡμέραν, ἐφ' ὃ τῶν πενήτων ὁ βουλόμενος εἰσῆει καὶ διατροφὴν εἶχεν ἀπάγματος, μόνους τοῖς δημοσίοις σχολάζων. ὥς δ' Ἀριστοτέλης φησὶν, οὐχ ἀπάντων Ἀθηναίων, ἀλλὰ τῶν δημοτῶν αὐτοῦ Λακιαδῶν παρσεκευάζετο βουλομένη τὸ δεῖπνον. *Pericl.* 9, ἐν ἀρχῇ...πρὸς τὴν Κίμωνος δόξαν ἀντιταπτόμενος ὑπεποιεῖτο τὸν δῆμον ἑλατούμενος δὲ πλούτῳ καὶ χρήμασι, ἀφ' ὧν ἐκεῖνος ἀνελάμβανε τοὺς πένητας δεῖπνόν τε καθ' ἡμέραν τῷ δεομένῳ παρέχων Ἀθηναίων καὶ τοὺς πρεσβυτέρους ἀμφιεννύων, τῶν τε χωρίων τοὺς φραγμοὺς ἀφαιρῶν, ὅπως ὀπωρίζων οἱ βουλόμενοι, τοῦτοις ὁ Περικλῆς καταδημαγωγούμενος τρέπεται πρὸς τὴν τῶν δημοσίων διανομήν. The

τῶν ἔτρεφε πολλούς· ἐξῆν γὰρ τῷ βουλομένῳ Λακιάδων καθ' 15
ἐκάστην τὴν ἡμέραν ἐλθόντι παρ' αὐτὸν ἔχειν τὰ μέτρια, ἔτι δὲ τὰ
χωρία πάντα ἄφρακτα ἦν, ὅπως ἐξῆν τῷ βουλομένῳ τῆς ὁπώρας
4 ἀπολαύειν. πρὸς δὲ ταύτην τὴν χορηγίαν ἐπιλειπόμενος ὁ Περι-
κλῆς τῇ οὐσίᾳ, συμβουλευσάντος αὐτῷ Δαμωνίδου τοῦ Οἰήθεν (δς

15 τογςπολλογς, delete τογς.

17 ἐξῆν (κ-W, H-L, κ³, B).

18 ἐπι-

λείπ: ἀπολειπόμενος Richards (H-L).

19 <Δάμωνος> Δαμωνίδου 'Οαθεν Wyse
(*Class. Rev.* v 227), cf. Wilamowitz, *Hermes* xiv 320. Οἰήθεν H-L, κ³ (Meisterhans,
45²); Οἰήθεν κ-W, B.

19 *Plut. *Per.* 9 (Ar. Frag. 365², 403³), infra exscriptum.

story of Cimon's generosity appears in an exaggerated form in Theopompus, *Philippica* x (FHG ii 293, *ap.* Athen. 533 A), Κίμων ὁ Ἀθηναῖος ἐν τοῖς ἀγροῖς καὶ τοῖς κήποις οὐδένα τοῦ καρποῦ καθίστα φύλακα, ὅπως οἱ βουλόμενοι τῶν πολιτῶν εἰσόντες ὁπωρίζονται καὶ λαμβάνουσιν εἰ τινος δέοντο τῶν ἐν τοῖς χωρίοις. ἔπειτα τὴν οἰκίαν παρείχε κοινῇ ἅπασιν· καὶ δειπνον αἰεὶ εὐτελὲς παρασκευάζεσθαι πολλοῖς ἀνθρώποις, καὶ τοὺς ἀπόρους προσιόντας τῶν Ἀθηναίων εἰσόντας δειπνεῖν. This exaggerated account is recorded by Plutarch to be corrected on the authority of the present passage. Aristotle's pupil, Theophrastus, was no less careful in adhering to the truth, *Cic. de Off.* ii 64, 'Theophrastus scribit Cimonem Athenis etiam in suos curiales Laciadas hospitem fuisse: ita enim instituisse et vilicis imperavisse, ut omnia praeberentur, quicunque Laciades in villam suam devertisset.' The excerpts ascribed to Heraclides tell the same story of Ephialtes: 'Εφ. τοὺς ἰδίους ἀγροὺς ὁπωρίζειν παρείχε τοῖς βουλομένοις, ἐξ ὧν πολλοὺς ἐδείκνυε. The text is apparently the authority followed by the Schol. on Aristides, iii 517 l. 30 Dind., τοὺς γὰρ φραγμοὺς ὑπανεώγνυ τοῖς βουλομένοις ὁπωρίζεσθαι τῶν αὐτοῦ καὶ τὴν οἰκίαν ἀριστοῦσιν αἰρεῖσθαι (?), and *ib.* p. 446 l. 18. Cf. Nepos, *Cimon* 4 § 1.

The various forms which the story of the generosity of Cimon assumed have been examined in *Μνημοσύνη*, ix 58.

Λακιάδων] The δῆμοται of Cimon, Plut. *Cim.* 4. The deme itself was also called Λακιάδα.

τὰ μέτρια] 'moderate provision,' Xen. *Lac.* i 3, σίτος μετριώτατος, *Mem.* ii 6, 22, τὰ μ. κεκτήσθαι, *Cyr.* v 2, 17, μετριότης τῶν αἰτών. *Supra* 16 § 3.

ὅπως ἐξῆν] This implies that Cimon caused his fences to be pulled down *in order* to allow his fellow demesmen to enter his orchards. This constr. is sup-

ported by ὅπως ὁπωρίζονται in Theopompus and ὅπως ὁπωρίζωσιν in Plut. *Per.* 9. ὅπως ἐξῆν would be quite out of place here (Goodwin, *Moods and Tenses*, § 333²).

§ 4. ἐπιλειπόμενος] ἐπιλείπεσθαι in pass. c. gen., 'to fall short of,' is found in [Plat.] *Εἰρήνομis* 978 A. ἐπιλείπειν is far more frequently used in act. in the sense of 'to fail.' In Ar. we have *Eth.* iv 3, 1121 a 34, 17, ταχὺ ἐπιλείψει αὐτοὺς τὰ ὑπάρχοντα, and there are several exx. of its intransitive use. ἀπολειπόμενος does not appear to be supported by the usage of Aristotle, as shewn in the *Index Aristotelicus*. More probable than either is ὑπολειπόμενος. Cf. *Pol.* iv (vii) 16, 1334 b 39, δεῖ οὐτε λῆαν ὑπολείπεσθαι ταῖς ἡλικίαις τὰ τέκνα τῶν πατέρων οὐτε λῆαν πάρεγγυς εἶναι, and i 5, 1254 b 35, εἰ τοσοῦτον γένοντο διάφοροι τὸ σῶμα ὅσον αἱ τῶν θεῶν εἰκόνες, τοὺς ὑπολειπομένους (*inferiores*) πάντες φαίεν ἂν ἀξίους εἶναι τοῦτοις δουλεύειν.

Δαμωνίδου] Damonides is mentioned in Plut. *Per.* 9, τρέπεται πρὸς τὴν τῶν δημοσίων διανομὴν συμβουλευσάντος αὐτῷ Δαμωνίδου τοῦ Οἰήθεν ('Οαθεν Sintenis, collato Steph. Byz. s. v. 'Οα: Δαμωνίδου τοῦ 'Οαθεν vulg.), ὡς Ἀριστοτέλης ἰσθόρηκε. Damon, *ib.* 4, ὁ δὲ Δάμων...τῷ Περικλεῖ συνῆν καθάπερ ἀθλητῇ τῶν πολιτικῶν ἀλείπτῃ καὶ διδάσκαλος...ἀλλ' ὡς μεγάλωφρον καὶ φιλοτύραννος ἐξωστρακίσθη, *ib.* 14, *Nic.* 6, and *Arist.* i. Plat. *Alc.* i 118 c, *Lach.* 180 D, *Rep.* 400 B, 424 C. Duncker, *G. d. A.*, ix c. 8; Busolt, ii 443; Holm, ii 345, 17.

Δάμων and Δαμωνίδης appear to be two forms of name belonging to one person (cf. Duncker, *Gesch. des Alt.* ix p. 12, n. 1). As other exx. of double names we have Κλεανδρίδης and Κλεάνδρος, Φρασικλείδης and Φρασικλῆς, Εὐβουλίδης and Εὐβουλος, Τευταμίδης and Τεύταμος, Σμιχίδης and Σμιχος, Μαϊανδρίδης and Μαϊανδρος, Θεσπιάδης and Θέσπιος (Hemsterhuys on

20 ἐδόκει τῶν πολλῶν εἰσηγητῆς εἶναι τῷ Περικλεῖ, διὸ καὶ ὠστράκισαν αὐτὸν ὕστερον), ἐπεὶ τοῖς ἰδίοις ἡττάτο, διδόναι τοῖς πολλοῖς τὰ αὐτῶν, κατεσκεύασε μισθοφορὰν τοῖς δικασταῖς· ἀφ' ὧν αἰτιῶν-
5 ταί τινες χεῖρους γενέσθαι, κληρουμένων ἐπιμελῶς αἰὲ μᾶλλον τῶν τυχόντων ἢ τῶν ἐπιεικῶν ἀνθρώπων. ἤρξατο δὲ μετὰ ταῦτα καὶ
25 τὸ δεκάζειν, πρώτου καταδείξαντος Ἀνύτου μετὰ τὴν ἐν Πύλῳ

20 πολλῶν (κ-ω, κ³, β): πολεμῶν (κ¹), πολιτικῶν Wyse (H-L). 22 δικαστηρίους Blass, Richards (H-L), propter χειρῶν in versu proximo positum. ἀφ' οὗ Richards (H-L). 23 χειρῶν (κ, H-L): χείρους Newman, Hude, κ-ω; τὰ πράγματα τὰ κατὰ τὴν πολιτείαν, vel τὴν πόλιν, excidisse putant J B Mayor et Rutherford; τὰ κατὰ τὰ δικαστήρια desiderat Bury. 25 Ἀνύτου: ΑΓΤΟΥ corr. κ.

25 * Harp. δεκάζων... Ἀρ. δ' ἐν Ἀθ. πολ. Ἀνύτον φησι καταδείξει τὸ δεκάζειν τὰ δικαστήρια. Bekk. An. p. 211, 31 Ἀνύτος: οὗτος πρῶτος δικαστήριον <δεκάζειν> κατέδειξεν. Schol. Aeschin. i 87 ἐδέκαζεν οὖν διέφθειρεν ἀργυρίῳ τοὺς δικαστάς· ἤρξατο δὲ τοῦ τοιούτου πρῶτος Ἀνύτος. Bekk. An. p. 236, 6 (=Etyim. M. p. 254, 31) πρῶτος δ' ἐδόκει δεκάσαι Μέλῃς (leg. Ἀνύτος) τὰς εὐθύνas διδοὺς τῆς ἐν Πύλῳ στρατηγίας ἢ κακῶς ἐστρατήγησεν. Cf. Rose, 371², 409³.

Lucian, *Τίμοι*, p. 157), Καλλιπίδης and Κάλλιππος, Ἀγωνίδης and Ἀγωνί, Ἐξηκεστίδης and Ἐξηκεστός, Εὐφρονίδης and Εὐφρόνιος, Μεγακλείδης and Μεγακλῆς, Μνησαρχίδης and Μνησαρχος, Ξανθιππίδης and Ξανθίππος (O. Crusius in *N. Jahrb.*, 1891, pp. 385—394, 'Die Anwendung von Vollnamen und Kurznamen bei derselben Person'). Plutarch, *Per. 4 init.*, tells us that certain persons said that the first syllable of Δάμων was pronounced short.

Mr Kenyon suggests that Plutarch confused two persons, the musician Damon, son of Damonides of Oea, and the politician Damonides of Oīη, and transferred to the former some of the attributes of the latter. The demonymic of the former would be Ὀαθεν; of the latter, Οἰήθεν. This has also been suggested by Gomperz, *Deutsche Rundschau*, May 1891, p. 232, and is probably the best solution of the discrepancy.

εἰσηγητῆς] apparently not found in Ar. Thuc. viii 48, τοὺς καλοὺς κάγαθους—ποριστάς ὄντας καὶ εἰσηγητάς τῶν κακῶν τῷ δήμῳ. *Pol.* ii 8, 1268 b 30, εἰσηγεῖσθαι (advise, propose) νόμων λύσιν, and vi (iv) 1, 1289a 1, τοιαύτην εἰσηγεῖσθαι τάξιν, and several times in [Ar.] *Rhet. ad Alex.* Thuc. iv 76, ἐσηγομένου (τινός), 'on his proposal.'

διδόναι τοῖς πολλοῖς τὰ αὐτῶν] 'to offer the people what was their own'—an easy piece of liberality. In epigrammatic point this phrase is somewhat of an exception to the ordinary style of the treatise and reminds one of Aristotle's manner; but the epigram is ascribed to Damon and the writer does not necessarily

claim it as his own. 'The dry way in which the sarcastic counsel of Damonides of Oea, the Aithiophel of his time, is repeated is not unlike Aristotle' (W. L. Newman, *Class. Rev.* v 159 b).

χείρους γενέσθαι] The writer is possibly referring to Plato's *Gorgias* 515 E, ταυτὶ γὰρ ἔγωγε ἀκούω, Περικλέα πεποιηκέναι Ἀθηναίους ἀργῶς καὶ δειλοῦς καὶ λάλους καὶ φιλαργύρους, εἰς μισθοφορίαν πρῶτον καταστήσαντα. Aristotle often refers to Plato in the *Politics* as *twes*, e.g. in iv (vii) 7, 5, 1327 b 38 (W. L. Newman in *Class. Rev.* v 160 b).

§ 5. δεκάζειν] Lys. 29 § 12, δεδεκασμένοι, Isocr. 8 § 50, θανάτου τῆς ζημίας ἐπιεικείνης, εἰάν τις ἀλῶ δεκάζων, Aeschin. i § 87, μαρτυρεῖν τὸν μὲν ὡς ἐδέκαζε τὸν δὲ ὡς ἐδέκαζετο. Cf. note on Dem. 46 § 26, εἰάν τις... συνδεκάζει τὴν ἡλιαίαν in *Select Private Orations*, ii 139, ed. 1886. Plut. *Pericl.* 9 § 3, συνδεκάσας τὸ πλῆθος.

Ἀνύτου] In 409 B.C. Pylos, which had remained an Athenian post since 425, was retaken by the Lacedaemonians. The Athenians had sent to its relief 30 triremes under Anytus, who however came back without even reaching the place. On his return he was put on his trial for having betrayed the trust confided to him. Diodorus xiii 64. Plut. *Coriolanus* 14, Ἀθήνησι δὲ λέγεται πρῶτος ἀργύριον δοῦναι δικασταῖς Ἀνύτος ὁ Ἀνθεμίονος προδοσίας περὶ Πύλου κρινόμενος (Grote c. 63, v 465). He is mentioned in c. 34 § 3 as one of the leaders of the moderate section of the oligarchical party. He was afterwards notorious as one of the prosecutors of Socrates (*Ἀληγί reus*).

στρατηγίαν. κρινόμενος γὰρ ὑπὸ τινων διὰ τὸ ἀποβαλεῖν Πύλον, δεκάσας τὸ δικαστήριον ἀπέφυγεν.

28. ἕως μὲν οὖν Περικλῆς προειστῆκει τοῦ δήμου βελτίῳ τὰ κατὰ τὴν πολιτείαν ἦν, τελευτήσαντος δὲ Περικλέους πολλὴ χεῖρῳ. πρῶτον γὰρ τότε προστάτην ἔλαβεν ὁ δῆμος οὐκ εὐδοκимоῦντα παρὰ τοῖς ἐπικείσιν· ἐν δὲ τοῖς πρότερον χρόνοις αἰεὶ διετέλουν οἱ 2 ἐπικεῖς δημαγωγοῦντες. ἐξ ἀρχῆς μὲν γὰρ καὶ πρῶτος ἐγένετο 5 προστάτης τοῦ δήμου Σόλων, δεύτερος δὲ Πεισίστρατος, τῶν εὐγενῶν καὶ γνωρίμων· καταλυθείσης δὲ τῆς τυραννίδος Κλεισθένης, τοῦ γένους ὦν τῶν Ἀλκμεωνιδῶν, καὶ τούτῳ μὲν οὐδεὶς ἦν ἀντιστασιώτης ὡς ἐξέπεσον οἱ περὶ τὸν Ἰσαγόραν. μετὰ δὲ ταῦτα τοῦ μὲν δήμου προειστῆκει Ξάνθιππος, τῶν δὲ γνωρίμων Μιλτιάδης· 10 ἔπειτα Θεμιστοκλῆς καὶ Ἀριστείδης· μετὰ δὲ τούτους Ἐφιάλτης μὲν τοῦ δήμου, Κίμων δ' ὁ Μιλτιάδου τῶν εὐπόρων· εἶτα Περικλῆς μὲν τοῦ δήμου, Θουκυδίδης δὲ τῶν ἐτέρων, κηδεστής ὦν Κίμωνος. 3 Περικλέους δὲ τελευτήσαντος τῶν μὲν ἐπιφανῶν προειστῆκει Νικίας, ὁ ἐν Σικελίᾳ τελευτήσας, τοῦ δὲ δήμου Κλέων ὁ Κλεαι- 15

XXVIII 6—7 τῶν εὐγενῶν καὶ γνωρίμων secl. K-W; τῶν εὐγενῶν <ὦν> κτλ Richards (H-L, B).

TESTIMONIA. XXVIII 15—18 *Schol. in Luciani Timonem 30 (i p. 100 ed. Bipontinae, p. 47 Jacobitz): ὁ δὲ Κλέων δημαγωγὸς ἦν Ἀθηναίων προστάς αὐτῶν ἐπτά

XXVIII. *The successors of Pericles.*

§ 1. Περικλῆς προειστῆκει τοῦ δήμου] From about B.C. 450 (c. 28 § 1) till his death in the summer of 429. The writer's praise of the policy of Pericles is so briefly expressed, that it hardly arrests our attention. The text implies that the excellence of that policy was not absolute, but relative:—βελτίῳ, as contrasted with that of his successors, which was χεῖρῳ. The merits of Pericles are here recognised with far less generosity than in the pages of Thucydides. In the text, Pericles is the last leader of the popular party who, owing to his high birth, was acceptable even to his opponents: the decadence begins with his successor, Cleon, who had no such advantages.

πρῶτον—οὐκ εὐδοκимоῦντα] Pol. 1274 a 13—15, ὁ δῆμος...δημαγωγὸς ἔλαβε φαίλους ἀντιπολιτευομένων τῶν ἐπικείων. οἱ ἐπικεῖς δημαγωγοῦντες] Schol. Arist. Pax 681, πρότερον δημαγωγούντων τῶν πάντων λαμπρῶν πολιτῶν.

§ 2. προστάτης τοῦ δήμου] a purely unofficial title, applied to the leader of the popular party. Cf. 2 § 2, and see Whibley's *Political Parties*, p. 51.

τῶν εὐγενῶν καὶ γνωρίμων] We must

either insert ὦν after εὐγενῶν, or understand the words to refer to Solon and Peisistratus, or remove them from the text. In any case Peisistratus, who is described as δημοτικώτατος in 13 § 4 and 14 § 1, is to be regarded as a προστάτης τοῦ δήμου and not as a προστάτης τῶν εὐγενῶν καὶ γνωρίμων. Below, τῶν γνωρίμων is contrasted with τοῦ δήμου.

ἀντιστασιώτης] Hdt. i 92, iv 164, v 69. Not found in Ar.

Θεμιστοκλῆς καὶ Ἀριστείδης] joint leaders of the popular party, c. 23 § 3.

Θουκυδίδης] son of Melesias, of Alopeke, mentioned below (§ 5) with Nicias and Theramenes. He was ostracised in 444 B.C., and it has been considered worthy of note that the writer says nothing of this fact (*Rhein. Mus.* xlv 455), but to mention it here would only impede the natural course of the narrative.

τῶν ἐτέρων] 'the opposite party,' used here, and below, to avoid the too frequent repetition of τῶν γνωρίμων, τῶν εὐπόρων, or τῶν ἐπιφανῶν.

§ 3. Νικίας—τελευτήσας] Thuc. vii 86 § 1.

Κλέων] Gilbert, *Beiträge*, pp. 127—146.

νέτου, ὃς δοκεῖ μάλιστα διαφθεῖραι τὸν δῆμον ταῖς ὁρμαῖς, καὶ πρῶτος ἐπὶ τοῦ βήματος ἀνέκραγε καὶ ἐλοιδορήσατο καὶ περιζώσάμενος ἐδημηγόρησε, τῶν ἄλλων ἐν κόσμῳ λεγόντων. εἶτα μετὰ τούτους τῶν μὲν ἐτέρων Θηραμένης ὁ Ἄγαννος, τοῦ δὲ δῆμου Κλεο-
20 φῶν ὁ λυροποιός, ὃς καὶ τὴν διωβελίαν ἐπόρισε πρῶτος· καὶ

16 ὈΡΜΑΙΣ. ἐκάστοτε χαρίζμενος vel aliquid eiusmodi desiderat J B Mayor. Scribendum fortasse διανομαῖς, coll. Plut. *Arist.* 24 (de demagogis post Periclem) τὸν δῆμον εἰς διανομὰς προαγαγόντες, *Per.* 9 μισθὼν διανομὰς, Aeschin. *F. L.* 76 Κλεοφῶν διεφθαρκὼς νομῆι χρημάτων τὸν δῆμον, *Eth.* 1130 ὁ 31 ἐν ταῖς διανομαῖς τιμῆς ἢ χρημάτων, 1131 ὁ 30 ἀπὸ χρημάτων κοινῶν ἐὰν γίγνηται ἡ διανομή, 1131 α 25. 20 ΔΙΩΒΟΛΙΑΝ.

ἐτη, ὃς πρῶτος δημηγορῶν ἀνέκραγεν ἐπὶ τοῦ βήματος καὶ ἐλοιδορήσατο... ἐπέστη δὲ καὶ τῇ πρὸς Λακεδαιμονίους εἰρήνῃ, ὡς Φιλόχορος καὶ Ἀριστοφάνης (Ἀριστοτέλης Hemsterhuis quem sequitur Rose, *Frag.* 368², 406³), προσθεῖς ἀρχοντα Εὐθύνο· Ἀριστοτέλης δὲ καὶ περιζώσάμενον αὐτὸν λέγει δημηγορῆσαι, εἰς τὴν θρασυτητα αὐτοῦ ἀποσκώπτων. Schol. Aeschin. i 25 "ἐν τῇ ἀγορᾷ τῇ Σαλαμινίων ἀνάκειται ὁ Σόλων ἐντὸς τὴν χεῖρ' ἔχων": ἀνετέθη ἡ Σόλωνος εἰκὼν οὐκ ἐπὶ τῷ ἐν κόσμῳ λέγειν, ὡς φησὶν Αἰσχίνης, ἀλλ' ἐπειδὴ οὕτω τὰ ἐλεγεία ἀπήγγειλε. Δημοσθένης μέντοι (*Or.* 19 § 251) νεωστὶ φησὶ πρὸ πεντήκοντα ἐτῶν ἀνατεθεῖσθαι ταύτην τὴν εἰκόνα. λέγεται δὲ Κλέων ὁ δημαγωγὸς παραβὰς τὸ ἐξ ἔθους σχῆμα περιζώσάμενος δημηγορῆσαι.

16 Heraclidis epitoma, 611, 6, Κλέων παραβῶν διεφθείρε τὸ πολίτευμα.

20—23 Locum de pecunia theorica ad iudicium mercedem male transtulerunt interpretes antiqui. *Schol. *Arist. Vesp.* 684 τοὺς τρεῖς ὁβολούς: τὸν φόρον λέγει,

ταῖς ὁρμαῖς] hardly 'his wild undertakings' (Kenyon), or even 'his incitations' (Poste), though the latter rendering may be preferred. Better *ses emportements* (Reinach), 'his impulsive ways.' Plut. i 1012, πρῶτος καὶ ταῖς ὁρμαῖς φύσει μαλακώτερος, *Them.* 2, ἐν ταῖς πρώταις τῆς νεότητος ὁρμαῖς. The pl. is found in *Ar. Eth.* i 13, 1102 ὁ 21, ἐπὶ τὰναντία αἱ ὁρμαὶ τῶν ἀκρατῶν, *Magn. Mor.* i 35, 1197 ὁ 39, ἀρεταὶ φύσει ὅλον ὁρμαὶ τινα ἐν ἐκάστῳ. In contrast to Cleon, we read of Pericles (*Plut. Per.* 20) οὐ συνεχῶρει ταῖς ὁρμαῖς τῶν πολιτῶν. But the use of the word in the text is curious, and it is perhaps better to propose διανομαῖς which would obviously refer to Cleon's raising the *μισθὸς δικαστικὸς* to three obols.

ἐπὶ τοῦ βήματος ἀνέκραγε] Neither βῆμα nor ἀνακράζω is found in the *Index Ar.*

The Pnyx was first identified by Chandler in 1765 (*Travels in Greece*, ii 84, ed. 1825) as 'a large semicircular area or terrace, supported by stones of vast size cut into squares, nearly opposite the rock of the Areopagus,' from the centre of which it is distant about a quarter of a mile to the S.W. The excavations directed by Lord Aberdeen in 1822 disclosed a projecting cubic block, hewn out of the rock, and approached on each side by steps. This was identified as the βῆμα of the Athenian orators. It

has, however, been maintained by Ulrichs (1842), Welcker (1852), E. Curtius (1862, 1868), that this block is an altar, and the semicircular area ατέμενος of Ζεὺς ὕψιστος. The site of the βῆμα is placed by Curtius on the slopes of the 'Museum' hill, due S. of the Areopagus. See his *Att. Studien*, i 23—, and *Stadgeschichte*, pp. 30 and 61. See also Prof. Crow and Mr Clarke in *Papers of Amer. School*, iv 205—277.

ἀνέκραγε] *Arist. Vesp.* 596, Κλέων ὁ κεκραξιδάμας, *Eq.* 137, Κυκλοφόρου φωνὴν ἔχων.

περιζώσάμενος] 'with his cloak girt up short about him' (Kenyon), 'with his robes fastened or tucked up, as if he were engaged in some manual labour' (Poste, n). Cf. *Plut. Nic.* 9, περισπᾶσας τὸ ἱμάτιον (with Holden's n), and contrast *Mor.* ii 800 (of Pericles), τὴν χεῖρα συνέχεν ἐντὸς τῆς περιβολῆς.

Θηραμένης] *inf.* § 5.

Κλεοφῶν ὁ λυροποιός] He is so styled by Andoc. *de Myst.* § 146; Aesch. *F. L.* § 76; and the Scholiast on Aristoph. *Thesm.* 805, *Ran.* 681 (as restored by Taylor). Cf. Suidas, s.v. φιλοτιμώτερος Κλεοφῶντος. Aelian, *Var. Hist.* xii 43, says that his father's name was unknown (Mayor). Cf. *Lysias* 13 §§ 8, 9, 12; 30 §§ 11—13; and *inf.* 34 § 1. For further details see Holden's *Onomasticon* to Aristophanes.

τὴν διωβελίαν] *Pol.* ii 7, 1267 ὁ 1,

χρόνον μὲν τινα διεδίδοδοτο, μετὰ δὲ ταῦτα κατέλυσε Καλλικράτης
Παιανιεύς πρῶτος ὑποσχόμενος ἐπιθήσειν πρὸς τοῖν δυοῖν ὀβολοῖν 22

21 ΔΙΕΔΙΔΟΥ (B): διεδίδοδοτο Wyse, Richards, K-W, H-L (K³). ΚΑΤΕΛΥΣΕ edd.:
κατηύξησε Whibley. 22 πρῶτον van Leeuwen.

ἀφ' ὧν ἐδίδοδοτο τὸ τριώβολον. τοῦτο δὲ ἄλλοτε ἄλλως ἐδίδοδοτο, τῶν δημαγωγῶν τὰ πλήθη κολακεύοντων, ὡς φησιν Ἀρ. ἐν πολιτείαις (adde Schol. *Vesp.* 300, ἣν μὲν γὰρ ἄστατον τὸ τοῦ μισθοῦ· ποτὲ γὰρ διωβόλου ἦν, ἐγένετο δὲ ἐπὶ Κλέωνος τριώβολον, *Vesp.* 88 ἐδίδοδοτο χρόνον μὲν τινα δύο ὀβολοί, ὕστερον δὲ Κλέων στρατηγησάς τριώβολον ἐποίησεν ἀκμάζοντος τοῦ πολέμου τοῦ πρὸς Λακεδαιμονίους). Cf. Rose, 421², 461³. Ceterum Kenyon noster arbitratur schol. ad Arist. *Vesp.* 684 referre partim ad c. 62 § 1 (τὰ δικαστήρια τρεῖς ὀβολούς), partim fortasse ad locum tractatus nostri e fine deperditum ubi de iudiciis agitur.

21 *Zenob. vi 29 (Athous iii 151 apud K-W laudatus) ὑπὲρ τὰ Καλλικράτους infra exscriptus = *Photius et Suidas, s.v.; fere eadem habet Pseudo-Plut. *Proverbia*, 111. Cf. Boeckh II xv p. 299 Fränkel; Meineke, *Com. Gr.* iv p. 700. Macarius iv 68... ἐπὶ τῶν καθ' ὑπερβολὴν τι ποιοῦντων, ἢ ἐπὶ τῶν τοὺς πρωτεύοντας ἐν τισιν ὑπεραίρωντων.

ἡ πονηρία τῶν ἀνθρώπων ἀπληστον, καὶ τὸ πρῶτον μὲν ἱκανὸν διωβολία μόνον, ὅταν δ' ἡδὴ τοῦτ' ἢ πάτριον, αἰεὶ δέονται τοῦ πλείονος, ἕως εἰς ἀπειρον ἐλθῶσιν. This must refer to the *theoricon*, the fund for paying the price of admission to the theatre at the rate of 2 obols for each of the ordinary seats (Dem. *de Cor.* p. 234, 24, ἐν τοῖν δυοῖν ὀβολοῖν). The payment of the *theoricon* out of the treasury of the State is attributed to Pericles in Plutarch, *Pericl.* 9, ὑπ' ἐκείνου φασὶ τὸν δῆμον ἐπὶ κληρουχίας καὶ θεωρικὰ καὶ μισθὸν διανομάς προαχθῆναι, and Ulpian on Dem. *Ol. i in it.* τὰ χρήματα ταῦτα τὰ δημόσια θεωρικὰ ἐποίησεν ἐξ ἀρχῆς ὁ Περικλῆς,...βουλόμενος ἀρεταί τῷ δήμῳ καὶ τοῖς πένησιν. Cf. Gilbert, i 324.

It cannot refer to the *μισθὸς δικαστικός*, for it was long before the time of Cleophon that Cleon (about 428 B.C.) raised the dicast's fee to three obols: Schol. on Ar. *Plut.* 330; *Vesp.* 80, 300; *Eg.* 51, 255 (425 B.C.); *Vesp.* 607, 682, 688, 797, 1116 (423 B.C.); *Aves* 1540 (415 B.C.). Boeckh, II xv p. 326 Lamb. Probably it was originally one obol and never two. Again, it cannot be the *μισθὸς ἐκκλησιαστικός* as this was introduced by Agyrrhius at the rate of one obol, increased by Heracleides to two obols, and again by Agyrrhius to three (c. 41 end).

διεδίδοδοτο] ('the fee) continued to be paid.' κατέλυσε] either (1) 'overthrew him,' 'ousted him' (K.), 'outbid him' (Reinach); or (2) 'abolished it' (Kaibel and Kiessling, Poland and Haus-soullier). (2) is probably right; but we should have expected some notice of the subsequent restoration of the *theoricon*. This omission may, however, be only

accidental. Philochorus, ap. Harp. s.v. θεωρικόν, says that it was restored by Agyrrhius; but this is doubtful. Agyrrhius was certainly concerned with the *μισθὸς ἐκκλησιαστικός* (c. 42 end).

Καλλικράτης] In Zenobius vi 29, and elsewhere (Boeckh, II xv p. 327 Lamb), we read of a proverbial phrase ὑπὲρ τὰ Καλλικράτους applied to excessive wealth by the inhabitants of Carystus in Euboea. This explanation of the proverb is quoted from Clearchus. Then follows an inaccurate reminiscence of the present passage in the following form: Ἀριστοτέλης δὲ φησιν ἐν τῇ Ἀθηναίων πολιτείᾳ Καλλικράτην τινὰ πρῶτον τῶν δικαστῶν τοὺς μισθοὺς εἰς ὑπερβολὴν αὐξῆσαι, ὅθεν καὶ τὴν παροιμίαν εἰρήσθαι. Possibly the last clause, ὅθεν—εἰρήσθαι, has got displaced and should be placed at the end of the previous sentence, immediately after the mention of the proverb. The first part of the explanation will then run as follows: φησὶ Κλέαρχος ὅτι Καλλικράτης τις ἐγένετο ἐν Καρύστῳ πλουσιώτατος· εἰ ποτε οὖν ἐθαύμαζον τινα οἱ Καρύστιοι ἐπὶ πλοῦτι, ὑπερβολικῶς ἔλεγον, ὑπὲρ τὰ Καλλικράτους· ὅθεν καὶ τὴν παροιμίαν εἰρήσθαι. In any case it is not absolutely necessary to suppose that the proverb was ever quoted in this treatise. Zenobius misunderstood the passage as referring to the pay of the dicasts, which had been increased to 3 obols about 428 B.C., whereas Cleophon, and a fortiori Callicrates, belongs to a much later date.

ὑποσχόμενος—ἄλλον ὀβολόν] If the grant of the fee of two obols a head out of the *theoric* fund was sufficient to enable all the poorer citizens to attend the theatre, it is not easy to see what object

ἄλλον ὀβολόν. τούτων μὲν οὖν ἀμφοτέρων θάνατον κατέγνωσαν ὕστερον· εἴωθεν γάρ, κἂν ἐξαπατηθῇ τὸ πλήθος, ὕστερον μισεῖν
 25 τοὺς τι προσαγόντας ποιεῖν αὐτοὺς τῶν μὴ καλῶς ἐχόντων. ἀπὸ 4
 δὲ Κλεοφώντος ἤδη διεδέχοντο συνεχῶς τὴν δημαγωγίαν οἱ
 μάλιστα βουλόμενοι θρασύνεσθαι καὶ χαρίζεσθαι τοῖς πολλοῖς
 πρὸς τὸ παραντῖκα βλέποντες. δοκοῦσι δὲ βέλτιστοι γεγενῆσθαι 5
 τῶν Ἀθήνησι πολιτευσάμενων μετὰ τοὺς ἀρχαίους Νικίας καὶ
 30 Θουκυδίδης καὶ Θηραμένης· καὶ περὶ μὲν Νικίου καὶ Θουκυδίδου
 πάντες σχεδὸν ὁμολογοῦσιν ἄνδρας γεγενῆσθαι οὐ μόνον καλοὺς
 κάγαθούς ἀλλὰ καὶ πολιτικούς καὶ τῇ πόλει πάσῃ πατρικῶς χρω-

24 εἴωθε H-L. κἂν: εἰαν H-L. 25 ΠΡΟ. ΑΓΑΓΟΝΤΑΣ. 28 τὸ Kontos, Gennadios (H-L, B qui το etiam in papyro invenit): τὰ κ, κ-W. ΔΕ ΕΞ ΔΕΟΙ corr. βέλτιστοι: praestat fortasse βέλτιστα, coll. 28, 4—et 32, 10. 29 ΑΘΗΝΗΣΙ, in titulis καλῶς

semel tantum apparet anno 302 A.C. (Meisterhans, p. 114²).

32 ΠΑΤΡΙΚΩΣ.

28—30 * Plut. *Nic.* 2 (infra exscriptum).

there was in increasing it. But the *theoricon* was not confined to the *Dionysia*, it was also paid at the Panathenaea and at all the great festivals (Boeckh, II xiii p. 305 Lamb). Harpocr. s. v. θεωρικά χρήματα... ἄλλοτε μέντοι ἄλλως ὥρσθη τὸ διδόμενον εἰς τε τὰς θέας καὶ εἰς τὰς θυσίας καὶ ἑορτάς, ὥς ἔστι δῆλον ἐκ τοῦ α' Φιλιππικῶν Δημοσθένους (i.e. *Ol.* i).

θάνατον] We know nothing of the death of Callicrates. That of Cleophon is well attested. In 404 B.C., not long before the establishment of the Thirty, he was condemned and put to death on the plea of having neglected his military duty; Lys. 13 § 12, πρόσφω μὲν ὅτι οὐκ ἦλθεν εἰς τὰ ὅπλα ἀναπαυόμενος, τὸ δ' ἀληθές ὅτι ἀντίειπεν ὑπὲρ ὧν μὴ καθαιρεῖν τὰ τεῖχη. The Council, whose temper and proceedings he had denounced, illegally constituted itself part of the tribunal that tried him (*ib.* 30 §§ 10—14). According to Xenophon, *Hell.* i 7 § 35, Callixenus and others, who had prompted the people to put to death the generals who had neglected their duty at Arginusae, made their escape before they could be put on their trial, στάσεώς τινος γενομένης, ἐν ᾗ Κλεοφῶν ἀπέθανεν (Grote, c. 65, v 552).

μισεῖν] Ar. *Rhet.* ii 4. Similarly in Xen. *Hell.* i 7 § 35 Callixenus, the proposer of the motion against the generals who fought at Arginusae, who is there included among those who τὸν δῆμον ἐξήπαρσαν, returned on the restoration of the democracy, and μισοῦμενος ὑπὸ πάντων λιμῶ ἀπέθανεν.

Mr W. L. Newman suspects a tacit reference to the death of Socrates, cf. Diod. xiv 37, and Diog. Laert. ii 43.

§ 4. ἀπὸ δὲ Κλεοφώντος κτλ.] Isocr. *Panath.* 132 sq.

διεδέχοντο τὴν δημαγωγίαν] Schol. Arist. *Pax* 681, οὗτος (Τέρβηλος) μετὰ τὴν τοῦ Κλέωνος δυναστείαν διεδέξατο τὴν δημαγωγίαν (Wyse).

παραντῖκα] Hitherto found only in spurious writings of Ar., esp. in the *De Plantis* and in the *Rhet. ad Alexandrum* (Eucken, *Sprachgebrauch des Ar., Prae-positionen*, p. 62, quoted in *Class. Rev.* v 160 a). It occurs (without the article) in Thuc. viii 48, 3 and iv 76, 5.

§ 5. δοκοῦσι—βέλτιστοι γεγενῆσθαι τῶν... πολιτευσάμενων] This is somewhat carelessly paraphrased in Plut. *Nic.* 2, ἔνεστιν οὖν περὶ Νικίου πρῶτον εἰπεῖν ὃ γέγραφεν Ἀριστοτέλης, ὅτι τρεῖς ἐγένοντο βέλτιστοι τῶν πολιτῶν καὶ πατρικὴν ἔχοντες εὐνοίαν καὶ φιλίαν πρὸς τὸν δῆμον, Νικίας ὁ Νικηράτου καὶ Θουκυδίδης ὁ Μελησίου καὶ Θηραμένης ὁ Ἀργωνος. The text describes the three as *reputed* to be the best *politicians*: Plutarch describes them as actually being the best *citizens*. The text describes Nicias and Thucydides as ruling the State in a paternal spirit; Plutarch ascribes to them a hereditary affection for it. βέλτιστοι here has a political sense; cf. οἱ ἐπικεικῆς in § 1, and καλοὺς κάγαθούς in § 5; and see Holm, *Gr. Gesch.* ii 583.

πατρικῶς] 'paternally'; not 'they acted in all their public life in a manner worthy of their ancestry' (Kenyon), but

μένους, περὶ δὲ Θηραμένους διὰ τὸ συμβῆναι κατ' αὐτὸν ταραχώδεις <εἶναι> τὰς πολιτείας ἀμφισβήτησις τῆς κρίσεώς ἐστι. δοκεῖ μὲν<τοι> τοῖς μὴ παρέργως ἀποφαινομένοις οὐχ ὥσπερ 35 αὐτὸν διαβάλλουσι πάσας τὰς πολιτείας καταλύειν, ἀλλὰ πάσας προάγειν ἕως μηδὲν παρανομοῖεν, ὡς δυνάμενος πολιτεύεσθαι κατὰ πάσας, ὅπερ ἐστὶν ἀγαθοῦ πολίτου ἔργον, παρανομοῦσιν δὲ οὐ συγχωρῶν ἀλλ' ἀπεχθανόμενος.

29. ἕως μὲν οὖν ἰσόρροπα τὰ πράγματα κατὰ τὸν πόλεμον ἦν, διεφ[ύλαττον] τὴν δημοκρατίαν. ἐπεὶ δὲ μετὰ τὴν ἐν Σικελίᾳ γενομένην συμφορὰν ἰσχυρότερα τὰ τῶν Λακεδαιμονίων ἐγένετο διὰ τὴν πρὸς βασιλείᾳ συμμαχίαν, ἡναγκάσθησαν κ[ινήσα]ντες

34 <εἶναι> τὰς πολιτείας K-W: τὰς πολιτείας <εἶναι> Richards (H-L). 35 Μ(ΕΝ)-ΤΟΙΣΜΗ: μέντοι τοῖς μὴ K (H-L); μέντοι μὴ K-W; δὲ τοῖς μὴ B. 38 fortasse aut ἔργον secludendum aut ἔργον ἀγαθοῦ πολίτου scribendum putat B.

XXIX 1 πράγματα secl. H-L. 3 Δ(1Δ)ΦΟΡΑΝ: συμφορὰν Richards, K-W (e Schol. Ar. Lys. 421), H-L (K³, B). ΙΣΧΥΡΟΤΑΤΑ (K): ἰσχυρότερα J B Mayor, Blass, K-W, H-L. 4 με[ταστήσα]ντες K; με[ταβαλό]ντες Hultsch (H-L); κ[ινήσα]ντες K-W et B, qui in papyro recte legunt ΚΕ...ΝΤΕC (= κινήσαντες).

TESTIMONIA. XXIX 3 v. notam proximam.

'they ruled the state as a father rules his household' (Poste). *Pol.* viii (v) 11, 1315 a 21, (δεῖ) τὰς κολάσεις πατρικῶς φαίνεσθαι ποιούμενον.

Similarly Aristides ii 161 Dind. (quoted by Mr Wyse, *Class. Rev.* v 275 a) describes Pericles as, in certain respects, ἐν πατρὸς ὧν τάξει τῷ δήμῳ.

Cf. *Pol.* iii 14, 1285 a 19 (βασιλείᾳ) καὶ κατὰ νόμον καὶ πατρικῇ. i 2, 1253 b 10 and 12, 1259 a 38, (οἰκονομία) πατρικῇ.

δοκεῖ μέντοι—ἀπεχθανόμενος] This eulogy of Theramenes is all the more welcome as the traditional opinion respecting him is that he was not much better than an Opportunist. His nickname, ὁ κόθορνος, is notorious. He is one of those who have been suggested as the politician referred to in *Pol.* vi (iv) 11, 1296 a 38, εἰς γὰρ ἀνὴρ συνεπέσθη μῆνος τῶν πρότερον ἐφ' ἡγεμονίᾳ γενομένων ταύτην ἀποδοῦναι τὴν τάξιν (sc. τὴν μέσσην πολιτείαν). See Newman's *Politics*, i p. 470. But it seems more probable that Solon is meant (cf. Susemihl² note 1303).

μὴ παρέργως] *Pol.* (vii) 11, 1330 b 11, ἐπιμελείαν τινος ἔχειν μὴ παρέργως. ἀποφαινομένοις] *Pol.* i ad fin. πρῶτον ἐπισκεψόμεθα περὶ τῶν ἀποφνημαζόμενων περὶ τῆς ἀρίστης πολιτείας. vi (iv) 1, 1288 b 35, οἱ πλείστοι τῶν ἀποφαινομένων περὶ πολιτείας. (vii) 14, 1333 b 12, ἀπεφάνησαντο

τὴν αὐτὴν δόξαν. *Rhet.* ii 21, 1395 a 7, ῥαδίως ἀποφαίνονται.

διαβάλλουσι] Critias is one of those referred to, Xen. *Hell.* ii 3, 30. Cf. Lys. 12 § 78 (Newman).

παρανομοῦσιν οὐ συγχωρῶν] See Meineke's notes in *Frag. Com. Gr.* ii 867 and 1165, where he quotes Hesych. τῶν τριῶν ἔν: Θηραμένης ἐψηφίσατο τρεῖς τιμωρίας κατὰ τῶν παρὰ νόμον τι δρώντων. The text dwells on the kindly feeling of Theramenes towards the whole city: we may contrast with this Lys. 13 § 10 (Newman).

XXIX—XXXIII. *The Revolution of the Four Hundred.*

XXIX § 1. ἰσόρροπα] Compare *Eth.* 9, 1, 1164 b 4, τιμὴ τε ἰσόρροπος οὐκ ἂν γένοιτο, *De Part. Anim.* iv 12, 695 a 12, ἰσόρροπον ὄντος τοῦ βάρους. Thuc. i 105, 6, μάχης γενομένης ἰσόρροπον.

μετὰ τὴν ἐν Σικελίᾳ—συμφορὰν] Thuc. viii 24, 5, μετὰ τὴν Σικελικὴν ξυμφορὰν (iδ. vii 85—87). Dem. *Lep.* 42, Isocr. 16 § 15.

βασιλείᾳ] After the Persian wars βασιλεύς, without the article, is the ordinary designation of the king of Persia (e.g. Hdt. vii 174, Thuc. viii 36). ὁ βασιλεύς is found in this sense in Hdt. i 132, 137 (L and S).

συμμαχ[αν] in allusion to the successive treaties with Tissaphernes on behalf

5 τὴν δημοκρατίαν καταστήσαι τὴν ἐπὶ τῶν τετρακοσίων πολιτείαν,
εἰπό[ντο]ς τὸν μὲν πρὸ τοῦ ψηφίσματος λόγον Μηλοβίου, τὴν δὲ
γνώμην γράψαντος Πυθοδώρου το[ῦ Ἐπι]ζήλου, μάλιστα δὲ
συμπεισθέντων τῶν πολλῶν διὰ τὸ νομίζειν βασιλέα [μᾶλλον]
ἑαυτοῖς συμπολεμήσειν ἂν δι' ὀλίγων ποιήσονται τὴν πολιτείαν.||
10 ἦν δὲ τὸ ψήφισμα τοῦ Πυθοδώρου τοιούδε· τὸν δῆμον ἐλέσθαι 2[Col. I

7 [Πολυζήλου] Poland coll. Diog. Laert. ix 8, 5 Πυθόδωρος Πολυζήλου, εἰς τῶν τετρακοσίων (H-L, K³); [Ἐπι]ζήλου K-W (B) coll. *Athen. Mittheil.* xiv 398: spatium septem octove litterarum capax, ut nomen utrumque scribi potuerit το[ῦ] πολυ[επι]ζήλου. 8 μᾶλλον J B Mayor (K-W, K³, B) quod confirmat Thuc. viii 48, 1; θάττων H-L; μέλλειν Marchant. [ἄσμενο]ν K¹, vel propter hiatum suspectum, etiam papyri scripturae evanidae minus congruere confitetur K.

10—14 Schol. Arist. *Lys.* 421: πρόβουλοι δὲ πρὸς τοῖς δέκα (τοῖσδε Schol., τοῖς οὖσι Suid., correxit Schoell) ῥέθησαν ἄλλοι κ', εἰσηγησόμενοι τὰ δοκοῦντα βέλτιστα (om. Puteanus) τῇ πολιτείᾳ (τῇ πόλει Puteanus) μετὰ τὴν ἐν τῇ Σικελίᾳ συμφορὰν (cf. v. 3).

of Persia. For the first of these, see Thuc. viii 18: for the second, *ib.* 37; for the third, *ib.* 58 (Grote c. 62, v pp. 330, 346, 373). See also Andoc. 2 § 11—17.

τὴν ἐπὶ τῶν τετρακοσίων πολιτείαν] Thuc. viii 54—97, esp. 67.

πρὸ] either 'in favour of' (Reinach), like ὑπέρ; or 'previous to' (Kenyon). Poste vaguely renders: 'the orator who prepared the public mind for the change.' But, unless sufficient authority can be found for either use of πρὸ in such a context, it may be safer to accept περί, proposed by Mr Wyse.

Μηλοβίου] almost certainly identical with the Melobius who was afterwards one of the Thirty and who joined in the attack on Lysias and his brother Polemarchus, *Lysias* 12 § 12.

Πυθοδώρου] Pythodorus is the name of the archon in whose year of office the Peloponnesian war began (Thuc. ii 2, 1). It is also the name of a στρατηγός (a son of Isolochus) in B.C. 426/5 etc, Thuc. iii 115, 1, 3; iv 2, 1, and 65, 3, who is described in Plat. *Parm.* 126—130 as entertaining Parmenides and Zeno (*Alc.* i 119 A): this Pythodorus had among his friends one Aristoteles τὸν τῶν τριάκοντα γενόμενον (*Parm.* 127 D): it was hence inferred by Bergk (*Comment. de rel. Com. ant.*, p. 100) that he was identical with the archon of B.C. 404—3. The name of Pythodorus was also borne by a representative of Athens in the treaty of B.C. 421 (Thuc. v 19 and 24). A Πυθόδωρος Ἀλαϊεύς was first ταμίης τῆς θεοῦ in B.C. 418/7 (CIA i 157). The date of the

Pythodorus of Thuc. vi 105 (B.C. 414/3) makes it likely that he was identical with the Pythodorus who is mentioned in the text. This Pythodorus, the archon of B.C. 404/3, is identified as the prosecutor of Protagoras, Πυθόδωρος Πολυζήλου, εἰς τῶν τετρακοσίων (Diog. Laert. ix 8, 54). But the name of his father was not Πολύζηλος but Ἐπιζήλος. In an inscription ascribed to the early part of the fourth century Πυθόδωρος Ἐπιζήλου ἐχορήγει (CIA ii 1250); and a pre-Euclidean inscr. at Eleusis bears the name of a ἱππαρχος who was son of Ἐπιζήλος. The confusion between Ἐπιζήλος and Πολύζηλος is paralleled by the corruption of the Ἐπιζήλος of Hdt. vi 117 into the Πολύζηλος of Diog. Laert. i 2, 56 and elsewhere. Cf. *Athen. Mittheil.* xiv 398.

συμπεισθέντων—πολιτείαν] In Thuc. viii 48, 1, Alcibiades assures the Athenian officers who had crossed over to the mainland from Samos, Τισσαφέρην μὲν πρώτον, ἔπειτα δὲ καὶ βασιλέα φίλον ποιήσειν, εἰ μὴ δημοκρατοῖντο (οὕτω γὰρ ἂν πιστεῦσαι μᾶλλον βασιλέα). *ib.* 53 § 2, Peisander asks each of his opponents at Athens εἴ τινα ἐλπίδα ἔχει σωτηρίας...εἰ μὴ τις πείσει βασιλέα μεταστῆναι παρὰ σφάς. On their replying in the negative he says plainly (§ 3) that they cannot hope for any deliverance εἰ μὴ πολιτεύσομεν τε σωφρονέστερον καὶ ἐς ὀλίγους μᾶλλον τὰς ἀρχὰς ποιήσομεν, ἵνα πιστεύῃ ἡμῖν βασιλεῖς. *Pol.* viii (v) 4, 1304 b 12, (of the 400) τὸν δῆμον ἐξηπάτησαν φάσκοντες τὸν βασιλέα χρήματα παρέξιν πρὸς τὸν πόλεμον κτλ.

μετὰ τῶν προὔπαρχόντων δέκα προβούλων ἄλλους εἴκοσι ἐκ τῶν ὑπὲρ τετταράκοντα ἔτη γεγονότων, οἵτινες, ὁμόσαντες ἢ μὴν συγγράψειν ἂν ἠγῶνται βέλτιστα εἶναι τῇ πόλει, συγγράψουσι περὶ τῆς σωτηρίας· ἐξεῖναι δὲ καὶ τῶν ἄλλων τῷ βουλομένῳ 15 γράφειν, ἵν' ἐξ ἀπάντων αἰρῶνται τὸ ἄριστον. Κλειτοφῶν δὲ τὰ 15 μὲν ἄλλα καθάπερ Πυθόδωρος εἶπεν, προσαναζητῆσαι δὲ τοὺς αἰρεθέντας ἔγραψεν καὶ τοὺς πατρίους νόμους οὓς Κλεισθένης ἔθηκεν ὅτε καθίστη τὴν δημοκρατίαν, ὅπως <ἂν> ἀκούσαντες καὶ

13 συγγράψουσι: συμβουλευέουσι Rutherford (H-L). 17 ἔγραψε H-L.
18 ΟΠΩΣ—ΒΟΥΛΕΓΩΝΤΑΙ (K): ὅπως—βουλεύσονται H-L; ὅπως ἂν—βουλεύσονται K-W, B. Cf. v. 24, c. 30, 20, et Meisterhans, p. 212².

§ 2. τῶν—δέκα προβούλων] Thuc. viii 1 § 3, (ἐδόκει) ἀρχὴν τινα πρεσβυτέρων ἀνδρῶν ἐλέσθαι, οἵτινες περὶ τῶν παρόντων ὥς ἂν καιρὸς ἢ προβουλευέουσι. Cf. Grote, c. 61, v 318—9. This passage confirms Grote's observation that this 'Board was doubtless merged in the Oligarchy of Four Hundred.' Hermann, *Staatsalt.* § 165, 10 and 11; Curtius, ii 690^b n. 162 (Germ. ed.). Hagnon, the adoptive father of Theramenes, is described as one of the πρόβουλοι in Lysias 12 § 65, and as joining Theramenes in favouring the establishment of the 400. It is implied in Ar. *Rhet.* iii 18, 2 that all of the πρόβουλοι lent their countenance to the change in the constitutional government of Athens (Grote c. 62, v 379 n.). Cf. Isocr. *Areop.* 58; *Pol.* 1299 b 30—38.

The ten πρόβουλοι of the present passage are identical with the ten συγγραφεῖς of Thuc. viii 67, τὸν δῆμον ξυλλέξαντες εἶπον γνώμην δέκα ἀνδρας ἐλέσθαι συγγραφέας αὐτοκράτορας, τοὺτους δὲ συγγράψαντας γνώμην ἐσενεγκεῖν ἐς τὸν δῆμον ἐς ἡμέραν ῥήτην καθ' ὃ τι ἀριστα ἢ πόλις οἰκίσηται.

In Bekker's *Anecd.* p. 301, 13, no number is given, but Harpocraton, s.v. συγγραφεῖς, describes that body as numbering 30, and Suidas, s.v. πρόβουλοι, speaks of 20 being elected in addition to the 10 πρόβουλοι to form a body of 30 συγγραφεῖς. Hence in the above passage of Thuc. it has been suggested by C. F. Hermann, *Staatsalt.* 165, 11, to alter δέκα into τριάκοντα. The historian's account is correct so far as it goes, but is less minute than that in the text, which has been followed by Harpocraton and Suidas.

Cf. Schol. on Aristoph. *Lysistr.* 421, πρόβουλοι δὲ πρὸς τοῖς δέκα (τοῖσδε schol., τοῖς οὖσι Suidas; correxit Schoell) ἡρέθησαν ἄλλοι κ', εἰσηγησόμενοι τὰ δοκούντα

βέλτιστα τῇ πολιτείᾳ μετὰ τὴν ἐν τῇ Σικελίᾳ συμφορὰν.

The account in the text is in accordance with the statement of Androtion (probably written before it) and of Philochorus (certainly written after it), as recorded by Harpocraton s.v. συγγραφεῖς: ἦσαν δὲ οἱ μὲν πάντες συγγραφεῖς τριάκοντα οἱ τότε αἰρεθέντες, καθά φησιν Ἀνδροτιῶν τε καὶ Φιλόχορος, ἐκάτερος ἐν τῇ Ἀθίδι· ὁ δὲ Θουκυδίδης τῶν ἱ ἐμνημόνευσε μόνων τῶν προβούλων. Cf. (with Wyse) Schol. *Lysistr.* 609, τοῖς κ' τοῖς ἐκ τῆς συναρχίας, and Harpocr. s. v. Ἀπόληξις· εἰς τῶν συγγραφέων δν Πλάτων κωμῶδεῖ ἐν *Σοφισταῖς* (where Cobet inserts i' after τῶν, following Thuc. l. c.).

§ 3. Κλειτοφῶν] mentioned with Theramenes as a 'pupil' of Euripides, in Arist. *Ran.* 967, οὐμοὶ δὲ (μαθηταὶ εἰσιν) Κλειτοφῶν τε καὶ Θηραμένης ὁ κομψός. Identified by Holden (*Onomasticon Arist.*) with Cleitophon, son of Aristonymus, who gives the title to one of Plato's dialogues and is mentioned with Thrasymachus in *Rep.* 328 b (where Stallbaum does not identify them). He is named, with Cleon, as φαῦλος in Plut. *Mor.* 805, but this is probably a mistake for Cleophon.

τὰ μὲν ἄλλα καθάπερ...εἶπεν...δὲ] This is the regular formula for introducing an amendment to a proposed decree. As examples before the archonship of Euclides we have CIA I (l. 28), 18, 38, 41, 52², 54, 55, 85, 95, 119, 131, 135 (?), 138, 146, 163, 186 (Hartel, *Studien über Attisches Staatsrecht*, p. 221). Swoboda, *Gr. Volksbeschlüsse*, p. 14, shews that amendments are not often found except in Athenian inscriptions. Plato refers to the customary formula in *Gorg.* 451 b, εἰπομεν' ἂν ὥσπερ ὁ ἐν τῷ δῆμῳ συγγραφόμενοι, ὅτι τὰ μὲν ἄλλα καθάπερ ἡ ἀριθμητικὴ ἢ λογιστικὴ ἔχει.

Κλεισθένης] cc. 21, 22.

τούτων βουλεύσονται τὸ ἄριστον, ὡς οὐ δημοτικὴν ἀλλὰ παρα-
 20 πλοσίαν οὖσαν τὴν Κλεισθένους πολιτείαν τῇ Σόλωνος. οἱ δ' ἄ
 αἰρεθέντες πρῶτον μὲν ἔγραψαν ἐπάναγκες εἶναι τοὺς πρυτάνεις
 ἅπαντα τὰ λεγόμενα περὶ τῆς σωτηρίας ἐπιψηφίζουσιν, ἔπειτα τὰς
 τῶν παρανόμων γραφὰς καὶ τὰς εἰσαγγελίας καὶ τὰς προσκλήσεις
 25 ἀνεῖλον, ὅπως ἂν οἱ ἐθέλοντες Ἀθηναίων συμβουλεύωσι περὶ τῶν
 προκειμένων· ἂν δέ τις τούτων χάριν ἢ ζημιοὶ ἢ προσκαλῇται ἢ

23 ΠΡΟΚΛΗΣΕΙΣ: corr. Wyse, Blass (κ-ω, Η-Λ, κ³).
 corr. K.

25—26 ΗΕΙΣΑΓΓΗΗΕΙΣ:

ὡς οὐ—Σόλωνος. Isocr., *Areop.* § 16, implies (like Cleistophon) that the constitution of Cleisthenes was identical with, or closely similar to, that of Solon. The text, while correcting the view of Cleistophon, is also a tacit correction of that of Isocr. (*Class. Rev.* v 161 a). For ὡς c. acc. of the participle, cf. c. 7 § 4 ὡς—σημαίνουσιν.

For the view that the constitution of Cleisthenes was not democratic, cf. Plut. *Cim.* 15, τοῦ Κλεισθέως...πειρωμένου ἂν τὰς δικὰς ἀνακαλείσθαι καὶ τὴν ἐπὶ Κλεισθέως ἐγείρειν ἀριστοκρατίαν.

§ 4. πρῶτον μὲν ἔγραψαν—ζημιῶσαι. We here find stated in full detail what is briefly summarised in Thuc. viii 67, ἐσήμεγεσαν οἱ ξυγγραφῆς ἄλλο μὲν οὐδέν, αὐτὸ δὲ τοῦτο, ἐξεῖναι μὲν ἀξήμιον εἰπεῖν (so Clasen, following Wilamowitz in *Hermes*, xii 336 n. 17: Ἀθηναίων ἀνειπεῖν or ἀνατρέπειν, MSS; Ἀθηναίους Suidas; Ἀθηναίω ἀνδρὶ εἰπεῖν Stahl ed. 1874: ἀνατεῖ εἰπεῖν ed. 1883, following Sauppe. The text is in favour of the restoration of Ἀθηναίων or some similar word, instead of accepting the conjecture of Wilamowitz. Ἀθηναίων τοῖς ἐθέλουσιν εἰπεῖν would make good sense, but would involve too great a departure from the MSS) γνώμην ἣν ἂν τις βούληται· ἣν δέ τις τὸν εἰπόντα ἢ γράφῃται παρανόμων ἢ ἄλλω τῷ τρόπῳ βλάβῃ μεγάλης ζημίας ἐπέθεσαν.

τοὺς πρυτάνεις—ἐπιψηφίζουσιν c. 43. The members of the tribe presiding for the time being were thus compelled to put every proposition to the vote, undeterred by any risk of penalties falling on the proposer or themselves.

τὰς τῶν παρανόμων γραφὰς] The γραφὴ παρανόμων having become recognised as one of the safeguards of the democratic constitution, it was necessary to repeal it before any revolutionary changes could be introduced. Dem. *Timocr.* 24 § 154, ἀκούω...καταλυθῆναι

τὴν δημοκρατίαν, παρανόμων πρῶτον γραφῶν καταλυθῆσθαι καὶ τῶν δικαστηρίων ἀκύρων γενομένων. Aeschin. 3 § 121, τῆνικαῦτα ὁ δῆμος κατελύθη, ἐπειδὴ τινες τὰς γραφὰς τῶν παρανόμων ἀνεῖλον (*Att. Process*, p. 428—437 Lipsius; Hager in Smith's *Dict. Ant. s. v.*).

εἰσαγγέλλας] various forms of denunciation, applied to three kinds of legal causes: (1) κατὰ καινῶν καὶ ἀγράφων ἀδικημάτων (Caecilius, in *Lex. Rhet. Cant.* p. 667, possibly referring to the times before Euclides, see 8 § 4); (2) wrongs done to orphans, heiresses and widows; (3) complaints against *διατῆται* (c. 53 § 6). See Hager in *Dict. Ant. s. v.*; *Att. Proc.* 312 f. Lips.

προσκλησεις] *inf.* προσκαλῇται. Legal forms of summons to the defendant. *Att. Process*, p. 770—2. In the MS *προκλήσεις* ('challenges') is a mistake for *προσκλησεις*. Similarly in Plat. *Leg.* 936 E, and Dem. c. *Arhob.* iii § 20, *προκαλείσθαι* has been wrongly suggested instead of *προσ-* (*Att. Process*, p. 884).

οἱ ἐθέλοντες] 'Notetur usus verbi ἐθέλειν pro βούλεσθαι, qui per haec decreta (etiam c. 30) obtinet, ad imitationem veteris linguae, qua vel Solo (c. 35 § 2; Dem. 46 § 14) vel Clisthenes usus erat' (Blass).

τούτων χάριν] *i.e.* for making any proposal which he thought fit.

ζημιοί...προσκαλῇται...εἰσάγη κτλ.] In all three cases the present here has a tentative sense. *ζημιοί* implies an attempt to get the speaker fined either by means of a *γραφὴ παρανόμων*, or an *εἰσαγγελία*. *προσκαλῇται* refers to the above-mentioned *προσκλησεις*. *εἰσάγη* κτλ. to the fact that, under the first of the three varieties of *εἰσαγγελία*, the *βουλὴ* might hand the defendant over for trial by a court, instead of fining him. Cf. *Att. Proc.* p. 45 Lips.

εἰσάγη εἰς δικαστήριον, ἔνδειξιν αὐτοῦ εἶναι καὶ ἀπαγωγὴν πρὸς
 τοὺς στρατηγούς, τοὺς δὲ στρατηγούς παραδοῦναι τοῖς ἔνδεκα
 5 θανάτῳ ζημιώσαι. μετὰ δὲ ταῦτα τὴν πολιτείαν διέταξαν τόνδε
 <τὸν> τρόπον· τὰ μὲν χρήματα <τὰ> προσιόντα μὴ ἐξεῖναι
 ἄλλοσε δαπανῆσαι ἢ εἰς τὸν πόλεμον, τὰς δ' ἀρχὰς ἀμίσθους 30
 ἄρχειν ἀπάσας ἕως ἂν ὁ πόλεμος ᾖ, πλὴν τῶν ἐννέα ἀρχόντων καὶ
 τῶν πρυτανέων οἳ ἂν ᾧσιν· τούτους δὲ φέρειν τρεῖς ὀβολοὺς
 ἕκαστον τῆς ἡμέρας. τὴν δ' ἄλλην πολιτείαν ἐπιτρέψαι πᾶσαν
 Ἀθηναίων τοῖς δυνατωτάτοις καὶ τοῖς σώμασιν καὶ τοῖς χρήμασιν
 λητουργεῖν μὴ ἔλαττον ἢ πεντακισχιλίοις, ἕως ἂν ὁ πόλεμος ᾖ· 35
 κυρίους δ' εἶναι τούτους καὶ συνθήκας συντίθεσθαι πρὸς οὓς ἂν

26 εἰς τὸ H-L. 29 <τὸν> cf. c. 7 v. 8. <τὰ> add. κ (K-W): χρήματα del.
 Richards (H-L). 33 ΠΑΣΙΝ (Κ): πᾶσαν J B Mayor, Newman, K-W, H-L, B.

ΩΝ

34 σώμασι—χρήμασι H-L. 35 ΗΠΕΝΤΑΚΙΣΧΙΛΙΟΙC. Corrector aut ἦ non viderat aut
 delere neglexerat; illud existimat Κ (ἦ πεντακισχιλίοις, H-L et B), hoc K-W (πεντα-
 κισχιλίων).

δικαστήριον] articulo 'non opus in
 sententia condicionali' (Blass).

ἔνδειξιν...ἀπαγωγὴν] In neither of
 these forms of procedure was there any
 summons: hence they were suited to the
 present emergency, in which προσκλήσεις
 had been abolished. ἀπαγωγή was a
 summary process, resorted to in certain
 cases of theft, but also applicable to mur-
 derers and adulterers, and to robbers of
 temples. ἔνδειξις was a charge in writing
 handed over by the prosecutor to the pro-
 per authority, who was bound to arrest or
 hold to bail the person criminated. It
 was directed against state-debtors, and
 others who exercised rights while labour-
 ing under a disqualification (*Dict. Ant.*
s. v.). The text shews that, under the
 Four Hundred, these forms of procedure
 were arbitrarily extended to the case of
 those who attempted to resort to the
 ordinary legal remedies at a time when
 they were in abeyance. Cf. *Att. Proc.*
 pp. 270—280 Lips.

πρὸς τοὺς στρατηγούς] In normal
 cases of ἀπαγωγή the delinquent was im-
 mediately brought before the *Eleven*; in
 those of ἔνδειξις, generally before the
Thesmothetae. The Four Hundred de-
 parted from those principles in providing
 that the offender should appear before the
 στρατηγοί, whose jurisdiction was
 usually limited to military matters. Such
 a provision may be illustrated by our

modern declaration of martial law in
 cases of emergency.

§ 5. τὰ μὲν χρήματα κτλ.] Thuc. viii
 65, 3, λόγος τε ἐκ τοῦ φανεροῦ προσείρ-
 γαστο αὐτοῖς ὥς οὔτε μισθοφορτέον εἴη
 ἄλλους ἢ τοὺς στρατενομένους, οὔτε μεθεκ-
 τέον τῶν πραγμάτων πλείοσιν ἢ πεντακισ-
 χιλίοις, καὶ τούτοις οἳ ἂν μάλιστα τοῖς τε
 χρήμασι καὶ τοῖς σώμασιν ὠφελῶν οἳ τε
 ᾧσιν, and 67, 3, ἐνταῦθα δὴ λαμπρῶς ἐλέ-
 γετο ἥδη μήτε ἀρχὴν ἄρχειν μηδεμίαν ἔτι
 ἐκ τοῦ αὐτοῦ κόσμου μήτε μισθοφορεῖν, προ-
 ἔδρους τε ἐλέσθαι πέντε ἄνδρας, τούτους δὲ
 ἐλέσθαι ἑκατὸν ἄνδρας, καὶ τῶν ἑκατὸν
 ἕκαστον πρὸς ἑαυτὸν τρεῖς· ἐλθόντας δὲ αὐ-
 τοὺς τετρακοσίους ὄντας ἐς τὸ βουλευτήριον
 ἄρχειν ὅπῃ ἂν ἄριστα γινώσκων αὐ-
 τοκράτορας. καὶ τοὺς πεντακισχιλίους δὲ
 ξυλλέγειν ὅπταν αὐτοῖς δοκῇ. Lys. 20
 §§ 13, 16; 30 § 8.

τοῖς δυνατωτάτοις κτλ.] The language
 is almost technical. Cf. (besides Thuc.
 viii 47, 48, οἳ δυνατώτατοι, 63, δυνάτους
 and 65, already quoted) Xen. *Hierarch.* i
 § 9, τοὺς μὲν τοίνυν ἱππέας...καθίστάναι δεῖ
 κατὰ τὸν νόμον τοὺς δυνατωτάτους καὶ χρή-
 μασι καὶ σώμασιν. Also CIG 1845, 44
 (inscr. from Corcyra), ἐλέσθαι δὲ τὰν βουλὰν
 τοὺς χειρίζοντας τὸ ἀργύριον ἄνδρας τρεῖς
 εἰς ἐνιαυτὸν τοὺς δυνατωτάτους χρήμασι
 (Gilbert ii 320), and the phrase ἀσθενῆς
 χρήμασι (Wyse).

σώμασιν...λητουργεῖν] Dem. c. *Mid.*
 165, λ. τοῖς σώμασι.

37 ἐθέλωσιν· ἐλέσθαι δ' ἐκ τῆς φυλῆς ἐκάστης δέκα ἄνδρας ὑπὲρ τετταράκοντα ἔτη γεγονότας, οὔτινες καταλέξουσιν τοὺς πεντακισχιλίους ὁμόσαντες καθ' ἱερῶν τελείων.

30. οἱ μὲν οὖν αἰρεθέντες ταῦτα συνέγραψαν. κυρωθέντων δὲ τούτων εἴλοντο σφῶν αὐτῶν οἱ πεντακισχιλίοι τοὺς ἀναγράφοντας τὴν πολιτείαν ἑκατὸν ἄνδρας. οἱ δ' αἰρεθέντες ἀνέγραψαν καὶ ἐξήνεγκαν τάδε. βουλευεῖν μὲν κατ' ἐνιαυτὸν τοὺς ὑπὲρ τριάκοντα 2
5 ἔτη γεγονότας ἄνευ μισθοφορᾶς· τούτων δ' εἶναι τοὺς στρατηγούς

37 δὲ καὶ κ, κ-W: δ' ἐκ (confusis a librario κ et κ') H-L, B.

ἐλέσθαι...τῆς φυλῆς ἐκάστης δέκα κτλ.] These were the καταλογεῖς appointed to enroll the 5,000 persons to whom the franchise was conceded by the Four Hundred. One of them was Polystratus who is defended in a speech ascribed to Lysias, *Or.* 20, on the 'charge of seeking to abolish the Democracy.' He claims credit for having placed as many as 9,000 on the roll: § 13, ὅμων ψηφισαμένων πεντακισχιλίοις παραδοῦναι τὰ πράγματα καταλογεῖς ὧν ἑννακισχιλίους κατέλεξεν. He served for eight days only, shortly before the overthrow of the Four Hundred (§ 14), who in the last resort found themselves compelled to take steps towards enrolling the 5,000. In § 2 it is said of Polystratus: ᾤρεθ' ὑπὸ τῶν φυλετῶν. This is explained by the text, in which ten καταλογεῖς are described as elected by each of the tribes. It was supposed by Grote c. 62, v 413, that Polystratus had the sole responsibility of drawing up the list. It is now clear that he was one of a hundred persons charged with this duty.

ὁμόσαντες καθ' ἱερῶν τελείων] cf. Thuc. v 47, 10, ὁμνύντων δὲ τὸν ἐπιχώριον ὄρκον ἑκάστοι (the Athenians on the one part, and the Argives, Mantineans, Eleans and their allies on the other part) τὸν μέγιστον κατὰ ἱερῶν τελείων. Müller, *Handbuch*, v 3, 104. *supra* c. 1.

XXX § 1. κυρωθέντων] Cf. 32 l. 2, ἐπικυρωθέντων. The use of the two words in connexion with ψηφίσματα is discussed by Hartel, *Studien*, p. 207 ff., and Swoboda, *Gr. Volksbeschlüsse*, p. 18 ff. The latter has collected a large number of examples from inscriptions (Wyse).

εἴλοντο σφῶν αὐτῶν οἱ πεντακισχιλίοι τοὺς ἀναγράφοντας] Here, and in c. 32 § 1, the existence of the 5,000 is assumed; whereas in 32 § 3 we are told that the 5,000 λόγῳ μόνον ᾤρεθησαν. The latter statement is in accordance with

Thuc. viii 92, 11, οἱ τετρακόσιοι...οὐκ ᾔθελον τοὺς πεντακισχιλίους οὔτε εἶναι οὔτε μὴ ὄντας δήλους εἶναι. In c. 67 *ad fin.* it had been proposed by Peisander τοὺς πεντακισχιλίους συλλέγειν ὅποταν αὐτοῖς δοκῇ, and this proposal was ratified by the ἐκκλησία in 69 § 1. Mr Kenyon suggests that 'all who could bear arms were provisionally entitled the Five Thousand until a body of that exact number had been drawn up by the board of 100 which was to be appointed for that purpose.' On the fall of the Four Hundred, the government was transferred to a body called the Five Thousand, consisting of all who could furnish arms (Thuc. viii 97, 1). Like the present, this would really be a body of indefinite number; whereas the body of 5,000 contemplated by the oligarchical revolution, though it never came into actual existence, was limited and definite in number. The envoys from the Four Hundred (as observed by Mr Kenyon) assure the army at Samos 'that they will all be members of the Five Thousand *in turn*' (τῶν πεντακισχιλίων πάντες ἐν τῷ μέρει μετέξουσιν, Thuc. viii 86, 3).

§ 2. τριάκοντα ἔτη] This was the age at which an Athenian citizen became capable of belonging to the Council under the regular constitution, Xen. *Mem.* i 2, 35.

ἄνευ μισθοφορᾶς] characteristic of an oligarchy. On the other hand, it is characteristic of a democracy μισθοφορεῖν μάλιστα μὲν πάντας, ἐκκλησίαν δικαστήρια ἀρχάς, εἰ δὲ μὴ, τὰς ἀρχὰς καὶ τὰ δικαστήρια καὶ <τὴν> βουλὴν καὶ τὰς ἐκκλησίας τὰς κυρίας (*Pol.* vii (vi) 2, 1317 b 35). Similarly in the case of the law courts, *Pol.* vi (iv) 8, 1294 a 38; 13, 1297 a 37; 14, 1298 b 18; and of the assembly, 1293 a 5—10. One of the causes that led to the fall of democracy in Rhodes was the fact that μισθοφορὰν οἱ δημαγωγοὶ ἐπὶ ὀρίζον (1304 b 27).

καὶ τοὺς ἐννέα ἄρχοντας καὶ τὸν ἱερομνήμονα καὶ τοὺς ταξιάρχους
καὶ ἱππάρχους καὶ φυλάρχους καὶ ἄρχοντας εἰς τὰ φρούρια καὶ
ταμίας τῶν ἱερῶν χρημάτων τῇ θ[εῶ] καὶ τοῖς ἄλλοις θεοῖς δέκα
[[καὶ ἑλληνοταμίας]] καὶ τῶν ἄλλων ὁσίων χρημάτων ἀπάντων 9

XXX 9 ἑλληνοταμίας—διαχειριοῦσιν mutila censent K-W. ἑλληνοταμίας mutat in ταμίας Richards, omisso (ut videtur) καὶ quod subsequitur; καὶ ἑλληνοταμίας et οὐ διαχειριοῦσιν, utpote e v. 13—14 exorta, secludere malui. καὶ et οὐ διαχειριοῦσιν iure secludit Thompson, sed idem ἑλληνοταμίας retinet (*Class. Rev.* v 277 a).

τούτων δ' εἶναι κτλ.] Here follows a list of official members of the new βουλῇ. They are elected out of the βουλῇ for the time being. Mr T. Nicklin (*Class. Rev.* v 228 b) suggests that τούτων refers to τοὺς ὑπὲρ τριάκοντα ἐτη γεγονότας, and that these are the body from which the four councils of 400 each, and the generals &c must come; also that the ἑλληνοταμίαι must not at the same time be in the council for the year. This interpretation appears improbable; Mr Kenyon has already pointed out that it involves the insertion of καὶ before τοὺς.

στρατηγούς] c. 61 §§ 1, 2. ἄρχοντας] c. 55. ἱερομνήμονα] a recorder or notary. *Pol.* vii (vi) 8, 1321 a 34—40, ἑτέρα δ' ἀρχὴ πρὸς ἣν ἀναγράφεσθαι δεῖ τὰ τε ἴδια συμβόλαια καὶ τὰς κρίσεις ἐκ τῶν δικαστηρίων...καλοῦνται δὲ ἱερομνήμονες καὶ ἐπιστάται καὶ μνήμονες κτλ. Hermann-Thumser, *Staatsalt.* p. 99; Gilbert, ii 413.

ταξιάρχους] c. 61 § 3. ἱππάρχους] c. 61 § 4. φυλάρχους] c. 61 § 5. ἄρχοντας εἰς τὰ φρούρια] = φρούραρχοι, the commanders of Athenian garrisons. c. 24 § 3. Gilbert, *Gr. St.* i 400.

ταμίας τῶν ἱερῶν χρημάτων τῇ θεῶ καὶ τοῖς ἄλλοις θεοῖς δέκα] At Athens the treasures of the various temples were under the charge of officials called ταμίαι τῶν ἱερῶν χρημάτων (cf. *Ar. Pol.* vii (vi) 8, 1322 b 25). The most important of these treasures was that of Athene on the Acropolis. The officials in charge of this were called ταμίαι τῆς θεοῦ or τῶν τῆς θεοῦ, ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηνᾶς, ταμίαι τῶν ἱερῶν χρημάτων τῆς θεοῦ. They are first mentioned in *Hdt.* viii 51 at the time of the battle of Salamis, ταμίας τοῦ ἱεροῦ; also in documents relating to the transfer of the treasure from one body of officials to their successors, from the date of the consecration of the Parthenon to 406 B.C.; in public accounts previous to Euclides; in *Dem. Macart.* p. 1075, 2, and *Aeschin. Timarch.* p. 127 § 110; lastly in inscriptions belong-

ing to B.C. 385, 325 and 300. Similarly, every temple had its special treasurers who, together with its superintendents (ἐπιστάται) and sacrificers (ἱεροποιοί), had the money of the same under their care.

In 435—4 B.C. (CIA i 32) these several treasurers of the temples, with the exception of those of the temple of Athene, were all united into a single board called ταμίαι τῶν θεῶν or τῶν ἄλλων θεῶν. From this date all the sacred moneys were kept in the Acropolis, but the treasures of Athene and those of the other divinities were generally under separate officials. *Dem. Timocr.* p. 743, 1, οἱ ταμίαι ἐφ' ὧν δ' Ὀπισθόδομος ἐνεπρήσθη, καὶ οἱ τῶν τῆς θεοῦ καὶ οἱ τῶν ἄλλων θεῶν. Nevertheless we find that both were united for a time as one board of officers, as in the text, and in a decree quoted in *Andocides de Myst.* p. 36, τοὺς ταμίας τῆς θεοῦ καὶ τῶν ἄλλων θεῶν. In inscriptions ascribed to B.C. 401, 400, 399—397 they are called ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηνᾶς καὶ τῶν ἄλλων θεῶν, and are (as here) in 411 B.C. ten in number. In 385 the treasurers of the goddess again became a separate board of Ten, who were independent of the treasurers of the other deities (see *Boeckh* II v, 217—220 Lamb, and Gilbert, *Gr. St.* i 234—5).

The ταμίαι have been mentioned in c. 4 § 2, c. 7 § 3, c. 8 § 1. They are called οἱ ταμίαι τῆς Ἀθηνᾶς in c. 47 § 1, and simply οἱ ταμίαι in c. 60 § 3.

ἑλληνοταμίας] obviously corrupt. These officials are immediately afterwards described as excluded from the Council and they could not possibly be here enumerated among its official members.

That portion of the treasures on the Acropolis which, in contrast to the ἱερὰ χρήματα, was known as δῶρα χρήματα, was according to *Suidas* (s. v. ταμίαι, art. 1) entrusted to 'the treasurers chosen by lot who had the care of the statue of Athene.' Thus the public money was ordinarily kept by the ταμίαι τῆς θεοῦ, who were often called ταμίαι alone (*Boeckh*

10 εἴκοσι[ν οἱ διαχειριούσιν] καὶ ἱεροποιούς καὶ ἐπιμελητὰς δέκα
ἐκατέρους· αἰρεῖσθαι δὲ πάντας τούτους ἐκ προκρίτων, ἐκ τῶν αἰὲν
βουλευόντων πλείους προκρίνοντας, τὰς δ' ἄλλας ἀρχὰς ἀπάσας
κληρωτὰς εἶναι καὶ μὴ ἐκ τῆς βουλῆς· τοὺς δὲ ἑλληνοταμίας οἱ ἂν
διαχειρίζωσι τὰ χρήματα μὴ συμβουλευεῖν. βουλὰς δὲ ποιῆσαι 3

10 διαχειριούσι H-L.

13 ΕΑΝ.

TESTIMONIA. 13—14 *Harp. ἑλληνοταμίαι: ... ὅτι ἀρχὴ τις ἦν οἱ ἑλληνοταμίαι, οἱ
διαχειρίζον τὰ χρήματα, καὶ Ἄρ. δηλοῖ ἐν τῇ Ἄθ. πολ.

l. c. p. 221—2). In the text, with a view to multiplying the official members of the 400, a separate board of 20 is mentioned.

Mr Kenyon infers from the present passage that separate ταμίαι τῶν ὁσίων χρημάτων formed part of the ordinary Athenian constitution; in the absence of evidence it is perhaps better to regard them as a special body created by the oligarchical revolution.

ἱεροποιούς] *c.* 64 § 6. Gilbert, *Gr. St.* i 249. *Pol.* vii (vi) 8, 1322 b 22—25, συμβαίνειν τὴν ἐπιμελειαν ταύτην (τὴν περὶ τοῦ θεοῦ) ἐνιαχοῦ μὲν εἶναι μίαν... ἐνιαχοῦ δὲ πολλὰς καὶ κεχωρισμένας τῆς ἱερωσύνης, οἷον ἱεροποιούς καὶ ναοφύλακας καὶ ταμίας τῶν ἱερῶν χρημάτων.

ἐπιμελητὰς] *Pol.* vii (vi) 8, 1322 b 19, ἄλλο δ' εἶδος ἐπιμελείας ἢ περὶ τοὺς θεοὺς, οἷον ἱερεῖς τε καὶ ἐπιμελητὰι τῶν περὶ τὰ ἱερὰ τοῦ σώζεσθαι τε τὰ ὑπάρχοντα καὶ ἀνορθοῦσθαι τὰ πίπτοντα τῶν οἰκοδομημάτων καὶ τῶν ἄλλων ὅσα τέτακται πρὸς τοῦς θεοὺς. The ἱεροποιοί, the ναοφύλακες and the ταμίαι τῶν ἱερῶν χρημάτων are in *Pol. l. c.* separate officials entrusted with this ἐπιμέλεια. The term ἐπιμελητής is vague, but the context implies that the official here meant was connected with matters of public ritual.

αἰρεῖσθαι—ἐκ προκρίτων] 'and that they (the Council, *c.* 31, 15) should appoint all these officials out of a number of selected candidates, choosing a larger number (than those actually required) out of the members of the Council for the time being.' All the officials enumerated were to be members of the Council of 400, and the Council itself was (1) to nominate candidates out of its own body to succeed these officials and (2) to choose such successors out of the number so nominated.

ἑλληνοταμίας] it is probably this passage, and not the corrupt passage a few lines earlier, that is the source of Harporation's notice *s. v.* Mr Kenyon leaves both passages as they stand in the MS;

he points out the inconsistency between them in his commentary and endeavours to remove it in the notes to his Translation:—"If this is not to be taken as directly contradicting the statement made just above, it must be supposed that the actual handling of the money was confined to a few of the Hellenotamiae (probably in rotation), the duties of the rest being to advise and superintend." The *Hellenotamiae*, or special board for the management of the tributes, existed from the time of the formation of the confederacy of Delos and lasted to the end of the Peloponnesian war. They are frequently mentioned in inscriptions down to the time of the anarchy. On the restoration of the democracy, the office was not revived, as the *ἡγεμονία* of Athens, and the duty of paying tribute on the part of her allies, had come to an end.

In 410/9 we know of eleven Hellenotamiae, three of them from one tribe alone, and two others from another tribe. Two of the tribe Acamantis were Hellenotamiae in the same prytaneia, and the two of the tribe Aeantis were similarly holding office at the same time. Boeckh supposes that in their appointment no regard was paid to the tribes (II vii p. 243 Lamb). Cf. Gilbert, *Gr. St.* i 236.

§ 3. **βουλὰς—τέτταρας**] *i.e.* four Councils of 400 each, each of the four holding office for one year (*εἰς ἐνιαυτὸν inf.*). The order in which they were to hold office was to be decided by lot (cf. τὸ λαχὸν μέρος). The one hundred who had drawn up the constitution were to distribute themselves and 'the rest,' *i.e.* the rest of the 5,000 above the age of thirty, into four divisions of 400 each. At the end of *c.* 31 provision is made for the future 'in order that the 400 may be distributed over the four divisions (*εἰς τὰς τέτταρας λῆξεις*),' one hundred being assigned by lot to each of the four divisions of 400.

The total number of the officials above

τέτταρας ἐκ τῆς ἡλικίας τῆς εἰρημένης εἰς τὸν λοιπὸν χρόνον, καὶ 15
 τούτων τὸ λαχὸν μέρος βουλευεῖν, νεῖμαι δὲ καὶ τοὺς ἄλλους πρὸς
 τὴν λῆξιν ἐκάστην. τοὺς δ' ἐκατὸν ἄνδρας διανεῖμαι σφᾶς τε
 αὐτοὺς καὶ τοὺς ἄλλους τέτταρα μέρη ὡς ἰσαίτατα καὶ διακληρώσαι,
 4 καὶ εἰς ἐνιαυτὸν βουλευεῖν. <βουλευέσθαι> δὲ ἡ ἂν δοκῇ αὐτοῖς
 ἄριστα ἔξειν περὶ τε τῶν χρημάτων, ὅπως ἂν σῶα ἡ καὶ εἰς τὸ δέον 20
 ἀναλίσκηται, καὶ περὶ τῶν ἄλλων ὡς ἂν δύνωνται ἄριστα· ἐὰν δέ
 τι 'θέλωσιν βουλευέσθαι μετὰ πλειόνων, ἐπεισκαλεῖν ἕκαστον
 ἐπέισκλητον ὃν ἂν ἐθέλῃ τῶν ἐκ τῆς αὐτῆς ἡλικίας· τὰς δ' ἔδρας
 ποιεῖν τῆς βουλῆς κατὰ πενθήμερον ἐὰν μὴ δέωνται πλειόνων.

16 ΔΟΥΛΕΥΕΙΝ. 19 βουλευεῖν. <βουλευεῖν> δὲ K; βουλευεῖν <τοὺς λαχόντας·
 πράττειν> δὲ K-W; βουλευέσθαι ἡ ἂν δοκῇ κτλ Richards (H-L). malui βουλευεῖν.
 <βουλευέσθαι> δὲ scribere. βουλευεῖν <τοὺς λαχόντας· βουλευέσθαι> δὲ Blass.
 20 σῶα; et σῶος et σῶς in titulis Atticis exstant (Meisterhans, pp. 52², 117²): σῶα K-W.
 21—22 ΕΑΝΤΙ: κὰν τι K; ἐὰν <δέ> τι J B Mayor, K-W, H-L, B. 22 ἐθέλωσι H-L.

.K.

23 ΕΠΕΙΣΚΕΛΗΤΟΝ corr. K.

24 ΠΕΝΘΗΜΗΜΕΡΟΝ corr. K.

23—24 Hesych. ἔδραι βουλῆς: αἱ ἐγίνοντο κατὰ πενταήμερον.

enumerated is as follows, if we assume that the numbers were in every case the same as usual:

στρατηγοὶ (10), ἄρχοντες (9), ἱερομνήμων (1), ταξίαρχοι (10), ἵππαρχοι (2, 1 in 31, 14), φύλαρχοι (10), ἄρχοντες εἰς τὰ φρούρια (?), ταμίαι τῶν ἱερῶν χρημάτων (10), ταμίαι τῶν ὁσίων χρ. (20), ἱεροποιοὶ (10), ἐπιμεληταὶ (10), making 92 out of a total of perhaps 100.

The ἄρχοντες εἰς τὰ φρούρια were possibly eight in number, in which case they may have represented the 8 tribes not represented by the 2 ἵππαρχοι. Thus ἡ may have dropped out after φρούρια (l. 7). But it is more probable that there was only one ἵππαρχος under this constitution and therefore 9 ἄρχοντες εἰς τὰ φρούρια, in which case θ may be the missing number. This is confirmed by the fact that the number of Attic φρούρια known to us is exactly nine, Eleusis, Anaphlystus, Sunium, Thoricus, Panactum, CEnoe, Phyle, Aphidna and Rhannus (Boeckh, II x; the evidence for the last two belongs to the times of Philip).

εἰς τὸν λοιπὸν χρόνον] = εἰς τὸν μέλλοντα χρόνον c. 31 § 1.

τοὺς ἄλλους] probably, not the 300 co-opted by the 100 (Thuc. viii 67, 3), but the rest of the 5,000.

διανεῖμαι...τέτταρα μέρη] c. 21 § 4, διένεμε...τριάκοντα μέρη.

ὡς ἰσαίτατα] Plat. Leg. 744 c. διακληρώσαι, to 'assign them by lot,' Thuc.

viii 30, 1, διακληρωσάμενοι, 'having drawn lots,' vi 42, τρία μέρη νεύμαντες ἐν ἐκάστῳ ἐκλήρωσαν.

§ 4. σῶα] The evidence of inscriptions shews that σῶος and σῶς were alike in use (Meisterhans, Gr. p. 117 ed. 1888). Cf. Dem. Lept. § 142 note. The codex Σ of Dem. has nom. masc. σῶος in Mid. 126, Aristocr. 131; neut. σῶν Lept. 142; acc. pl. σῶς in Pac. 17, Chers. 15; gen. sing. σῶας F.L. 78; pl. σῶοι in F.L. 57, 153, 326; acc. sing. σῶιαν Mid. 177; pl. nom. σῶιοι Cor. 49, Phil. iii 70, Timocr. 106 (Voemel, Proleg. Gramm. in Dem. Cont. § 33).

εἰς τὸ δέον ἀναλίσκηται] Aristoph. Nub. 859, εἰς τὸ δέον ἀπώλεσα, Dem. Ol. 3, 28, ἀνηλώκαμεν εἰς οὐδὲν δέον, Plut. Per. 23.

ἐπεισκαλεῖν (to co-opt) and ἐπέισκλητον are only found in this passage.

ἔδρας] c. 4 § 3. It is the technical term. CIA i 31, 7; 59, 41; ii 800 b 15 cet. (Mayor).

κατὰ πενθήμερον] not 'for five days at a time'; but 'once every five days'; cf. κατ' ἐνιαυτὸν ('year by year'), κατὰ μῆνα, καθ' ἡμέραν ('daily,' Thuc. vii 8 § 1 and 50 § 3). Mr Poste extracts both senses out of the passage: 'the sessions of the council shall be for five days at a time with intervals of five days.' Under the democracy the βουλή met daily except on public holidays (43 § 3).

πλειόνων, sc. ἐδρῶν.

25 κληροῦν δὲ τὴν βουλὴν τοὺς ἐννέα ἄρχοντας, τὰς δὲ χειροτονίας
κρίνειν πέντε τοὺς λαχόντας ἐκ τῆς βουλῆς, καὶ ἐκ τούτων ἓνα
κληροῦσθαι καθ' ἐκάστην <τὴν> ἡμέραν τὸν ἐπιψηφιοῦντα. κλη- 5
ροῦν δὲ τοὺς λαχόντας πέντε τοὺς ἐθέλοντας προσελθεῖν ἐναντίον
τῆς βουλῆς, πρῶτον μὲν ἱερῶν, δεύτερον δὲ κήρυξιν, τρίτον πρεσ-
30 βείαις, τέταρτον τῶν ἄλλων· τὰ δὲ τοῦ πολέμου ὅταν δέῃ ἀκληρωτὶ
προσαγαγόντας τοὺς στρατηγούς χρηματίζεσθαι. τὸν δὲ μὴ ἰόντα 6
εἰς τὸ βουλευτήριον τῶν βουλευόντων τὴν ὥραν τὴν προρρηθεῖσαν
ὀφείλειν δραχμὴν τῆς ἡμέρας ἐκάστης, εἰ μὴ εὐρόμενος ἄφεςιν
τῆς βουλῆς ἀπῇ. ||

25 'an πλῆρουν?' K-W. 27 τὴν addidit B. 29 ΠΡΕΣΒΕΙΑΙ: πρεσβείαις Wyse,
K-W, H-L, K³, B. 33 εὐρόμενος Tyrrell et Richards (H-L, B); ΕΥΡΙΣΚΟΜΕΝΟΣ
(K, K-W).

κληροῦν . . τὴν βουλὴν τοὺς ἐννέα ἄρχοντας] This means either (1) that the Council is to appoint the archons by lot, or (2) the archons are to superintend the sortition of the Council. (1) is followed by Kaibel and Kiessling, and also by Poland; (2) by Mr Poste and Mr Kenyon. In (1) the order is verb, subject, object, just as in § 5 κληροῦν τοὺς λαχόντας πέντε τοὺς ἐθέλοντας; and this is supported by the context. We are first told how the Council is constituted, and next what it has to do. But this view is open to a fatal objection. The Council cannot appoint the archons by lot, because under the present constitution the archons are chosen out of a select list (§ 2, 1. 11). We must therefore suppose that the archons were to superintend the sortition of the Council. Those of the 5,000, who were over 30 years of age, have already been divided into four groups determined by lot (§ 3). The archons in each year have to draw lots for appointing 400 out of each of these groups to serve on one of the four successive Councils. M. Th. Reinach regards this sentence as an interpolation.

For πλῆρουν, which has been proposed in place of κληροῦν, cf. δικαστήρια πλῆρουν in Dem. 24 § 92, 21 § 209, and Isaeus 6 § 37; also Arist. *Ecll.* 89, πληρομένης ἐκκλησίας.

χειροτονίας κρίνειν] 'decide divisions taken by show of hands.' The five functionaries act as 'tellers.' One of them is appointed by lot for each of the five days during which the Council sits, 'to put questions to the vote,' i.e. to act as president or chairman.

§ 5. κληροῦν—βουλῆς] These five

persons were to determine by lot the order of precedence among those who wished to appear before the Council.

ἱερῶν . . κήρυξιν . . πρεσβείαις . . τῶν ἄλλων] The two alternative constructions are arranged in the order of a *chiasmus* or introverted parallelism, the two nearest and the two furthest terms corresponding in construction. Apart from love of variety there is no apparent reason for this change. Exactly the same order and the same variety of expression is found in the statement of the proceedings in the ἐκκλησία in c. 43 § 6, ἱερῶν . . κήρυξιν καὶ πρεσβείαις . . ὁσίων. Cf. also Aeschin. *Timarch.* 23, προχειροτονεῖν κελεύει τοὺς προέδρους περὶ ἱερῶν τῶν πατρῶν καὶ ὁσίων καὶ κήρυξι καὶ πρεσβείαις.

§ 6. τὴν ὥραν] not 'the hour,' but 'the time'; the use of ὥρα for 'hour' is not earlier than the Alexandrine age.

ὀφείλειν δραχμὴν] the infliction of a fine for non-attendance is characteristic of an oligarchy. *Pol.* vi (iv) 9, 1294 a 38, (of law courts) ἐν μὲν γὰρ ταῖς ἀλιγαρχίαις τοῖς εὐπόροις ζημίαν τάττουσιν, ἀν μὲν δικάζωσι, τοῖς δ' ἀπόροις οὐδὲνα μισθόν, cf. 1298 b 17. It is one of the devices of aristocracies mentioned *ib.* 13, 1297 a 17, ζημίαν ἐπικεῖσθαι τοῖς εὐπόροις, εἰ μὴ ἐκκλησιάζωσιν. Fines for non-attendance at the βουλὴ in particular are apparently not mentioned in the *Politics*.

εὐρισκόμενος, 'in the enjoyment of leave of absence,' is less likely to be right than εὐρόμενος, 'having obtained for himself leave of absence.'

ἄφεςιν] not found in this sense in Ar. The corresponding adj. ἀφέσιμος occurs in c. 43 § 3.

[Col. 13.] 31. ταύτην μὲν οὖν εἰς τὸν μέλλοντα χρόνον ἀνέγραψαν τὴν πολιτείαν, ἐν δὲ τῷ παρόντι καιρῷ τήνδε· βουλευεῖν μὲν τετρακοσίους κατὰ τὰ πάτρια, τετταράκοντα ἐξ ἐκάστης <τῆς> φυλῆς, ἐκ προκρίτων [οἷ]ς ἂν ἔλονται οἱ φυλέται τῶν ὑπὲρ τριάκοντα ἔτη γεγονότων. τούτους δὲ τὰς τε ἀρχὰς καταστήσαι καὶ περὶ τοῦ 5 ὄρκου ὄντινα χρῆ ὁμόσαι γράψαι, <καὶ> περὶ τῶν νόμων καὶ τῶν εὐθυ[ν]ῶν καὶ τῶν ἄλλων πράττειν ἢ ἂν ἡγῶνται [συμ]φέρειν. τοῖς δὲ νόμοις οἷ ἂν θεῶσιν περὶ τῶν πολιτικῶν χρῆσθαι, καὶ μὴ ἐξεῖναι 2 μετακινεῖν μηδ' ἑτέρους θέσθαι. τῶν δὲ στρατηγῶν τὸ νῦν εἶναι τὴν αἵρεσιν ἐξ ἀπάντων ποιέσθαι τῶν πεντακισχιλίων, τὴν δὲ βουλὴν, 10 ἐπειδὴν καταστή, ποιήσασαν ἐξέτασιν <ἐν> ὅπλοις, ἐλέσθαι δέκα ἄνδρας καὶ γραμματέα τούτοις, τοὺς δὲ αἰρεθέντας ἄρχειν τὸν εἰσιόντα ἐνιαυτὸν αὐτοκράτορας, κἂν τι δέωνται συμβουλευέσθαι μετὰ τῆς βουλῆς. ἐλέσθαι δὲ καὶ ἵππαρχον ἓνα καὶ φυλάρχους δέκα· τὸ δὲ λοιπὸν τὴν αἵρεσιν ποιέσθαι τούτων τὴν βουλὴν κατὰ 15 3 τὰ γεγραμμένα. τῶν δ' ἄλλων ἀρχῶν πλὴν τῆς βουλῆς καὶ τῶν στρατηγῶν μὴ ἐξεῖναι μήτε τούτοις μήτε ἄλλω μηδενὶ πλεόν ἢ

XXXI 3 τῆς addidit B. 6 <καὶ> K, K-W, H-L, B. 8 εἰδ. τεθῶσι H-L. 11 ΚΑΤΑΚΤΗΧΗ corr. Wyse, Blass, etc. ΟΠΛΟΙC: <ἐν> ὅπλοις Wyse, Blass, K-W, H-L; ὅπλων K. 13 ἐσιόντα H-L. καὶ ἂν K, K-W, B; καὶ εἰδ H-L. CYN-BOYΛΕΥΕΘΑΙ. 17 ΠΛΕΙΟΝ (K-W, B): πλέον H-L, K³, cf. Meisterhans, p. 120², n. 1090.

XXXI § 1. χρόνον...καιρῷ] Ar. *Anaλ.* Pr. i 36 § 6, ὁ καιρὸς ἐστὶ χρόνος δέων.

ἀνέγραψαν] 'drew up,' c. 2 § 4.

κατὰ τὰ πάτρια] in allusion to the Council of 400 under the Solonian constitution, c. 8 § 4. The phrase is inserted to propitiate those who regarded Solon as the founder of the Athenian democracy.

ἐκ προκρίτων οὓς ἂν ἔλονται οἱ φυλέται]

According to this, the ten tribes were to make a preliminary selection of more than the requisite number; but we are not told how the final choice was made out of those nominated by the tribes. According to Thuc. viii 67, 3, the proposal carried at the ἐκκλησία held at Colonus was to choose five πρόεδροι; and for these to elect 100 in all, and for each of these 100 to co-opt three others. The historian's account supplies an omission in the text by describing the process by which the requisite number was arrived at. The two accounts may be partly reconciled by supposing that the 100 were limited in their choice to selecting the additional 300 out of those preliminarily selected by the tribes. As regards the

method by which the original hundred were appointed, the precise account in Thuc. seems more trustworthy than the vague description of the appointment of the 400 given in the text.

εὐθυνῶν] 'the examination of official accounts,' 'audits.' c. 48 § 4. *Att. Proc.* p. 259 Lips.

§ 2. τὸ νῦν εἶναι] Plat. *Rep.* 506 E, Xen. *Cyr.* v 3 § 42.

τὴν αἵρεσιν...ποιέσθαι] *inf.* l. 15.

καταστή] 32 § 2. Lys. 13 § 34 and 25 § 14, οἱ τριάκοντα κατέστησαν.

ἐξέτασιν ἐν ὅπλοις] Xen. *Anab.* v 3, 3, and *Cyr.* ii 4, 1, ἐξέτασιν ἐν τοῖς ὅπλοις. Thuc. iv 74 § 3, ἐξέτασιν ὅπλων ἐποιήσαντο, vi 45 § 2, ὅπλων ἐξετάσει καὶ ἵππων.

εἰσιόντα] during the 'ensuing' year, after the lapse of the two remaining months of the archonship of Callias.

ἵππαρχον ἓνα.] The normal number was *τινὸς* (c. 61 § 4). φυλάρχους, c. 61 § 5.

§ 3. μὴ ἐξεῖναι—πλέον ἢ ἅπαξ ἄρχει] Under the normal constitution of Athens military offices might be repeatedly held by the same person, but none of the others more than once, except in the case of membership of the Council, which

ἀπαξ ἄρξαι τὴν αὐτὴν ἀρχήν. εἰς δὲ τὸν ἄλλον χρόνον, ἵνα νεμη-
θῶσιν οἱ τετρακόσιοι εἰς τὰς τέτταρας λήξεις, ὅταν [τοῖς] αὐτοῖς
20 γίνηται μετὰ τῶν ἄλλων βουλευέειν, διανεμάντων αὐτοὺς οἱ
ἑκατὸν ἄνδρες.

32. οἱ μὲν οὖν ἑκατὸν οἱ ὑπὸ τῶν πεντακισχιλίων αἰρεθέντες
ταύτην ἀνέγραψαν τὴν πολιτείαν. ἐπικυρωθέντων δὲ τούτων ὑπὸ
τοῦ πλήθους, ἐπιψηφίσαντος Ἀριστομάχου, ἡ μὲν βουλή <ή> ἐπὶ
Καλλίου πρὶν διαβουλευσαὶ κατελύθη μηνὸς Θαργηλιώνος τετράδι
5 ἐπὶ δέκα, οἱ δὲ τετρακόσιοι εἰσήσαν ἐνάτῃ φθίνοντος Θαργηλιώνος·
ἔδει δὲ τὴν εἰληχυῖαν τῷ κυάμῳ βουλὴν εἰσιέναι τετράδι ἐπὶ δέκα

18—20 ἵνα et ὅταν locum inter se mutasse putat Hude, qui etiam (cum Thompsono) ἐγγίγνηται conicit; ὅταν νεμηθῶσιν—, ἵνα μὴ—μετὰ τῶν αὐτῶν βουλευέειν, ἄλλως διανεμάντων nimis audacter Poste.

19 τοῖς ἀστοῖς secl. K³, retinent K-W; τοῖς αὐτοῖς Tyrrell (H-L, et B qui etiam in papyro invenit [Δ]ΥΤΟΙΣ): mihi quidem [ε]ΤΕΡΟΙΣ aut simile aliquid scriptum fuisse videtur; malui tamen αὐτοῖς accipere, et τοῖς secludere, utpote ex interpretamento τοῖς τ' (sc. τοῖς τετρακόσιους) exortum.

XXXII 3 <ή> Rutherford, Blass, K-W, H-L, K³. 5 ΕΙΧΗΕCΑΝ: εἰσῆσαν K, H-L; εἰσῆσαν K-W, B. 6 ἔδει δὲ: ΕΤΙΔΕ corr. K.

might be held twice (see c. 62 end, and *Pol.* 1275 a 25; 1299 a 10; 1317 b 24; there quoted).

νεμηθῶσιν...εἰς τὰς...λήξεις c. 30 § 3, νεμαί...τοῖς ἄλλους πρὸς τὴν λῆξιν ἐκάστην.

'As regards the future, in order that the 400 may be distributed into the four divisions (above mentioned, 30 § 3), let the hundred make the distribution when it is possible for them (*i.e.* the 400) to sit in council with the rest.'

τῶν ἄλλων refers to the 5,000, as in c. 30 § 3, twice. αὐτοῖς refers to the τετρακόσιοι aforesaid.

Kaibel and Wilamowitz explain τῶν ἄλλων as τῶν ἐν Σάμῳ, but (as observed by Mr Kenyon) 'βουλευέειν is a technical word, and the Athenians with the fleet would not become members of the βουλὴ on their return, and there would be no occasion to await their return before arranging the subdivision of the Four Hundred among the four councils.'

In διανεμάντων we have a sudden transition from the inf. of *orare*. *obliqua* to the imperative of *oratio recta*.

XXXII § 1. ἐπιψηφίσαντος 30 § 4 end. Ἀριστομάχου, otherwise unknown.

'The absence of the name of father and deme is in accordance with the lapidary style of the 5th century, in which the decrees simply have ὁ δεῖνα ἐπισταίει, *e.g.* CIA I, 32, ἐδοξεν τῇ βουλῇ καὶ τῷ δήμῳ· Κεκροπίς ἐπρυτάνευε· Μνησίθεος ἐγραμμάτευε· Εὐπίθεος ἐπεστάτει·

Καλλίας εἶπε. On the other hand, the addition of the deme (c. 34 *ult.*, ἔγραψε τὸ ψήφισμα Δρακοντίδης Ἀφιδναῖος) or father (29 § 1, γράψαντος Πυθοδώρου τοῦ Ἐπιζήλου) of the proposer, is not in the manner of 5th century inscriptions' (Wyse).

ἐπὶ Καλλίου B.C. 412—411.

πρὶν διαβουλευσαὶ 'before the completion of its term of office.' The word is not found elsewhere in act. διαβουλεύεσθαι, 'to deliberate thoroughly,' is found in Andoc. 2 § 19; and in the sense of 'taking counsel' in Thuc. ii 5 and elsewhere (L and S), *e.g.* vii 50 § 4, 'to discuss.' As appears from the context, the Council was within a month of completing its year of office.

Θαργηλιώνος τετράδι ἐπὶ δέκα, the 14th of Thargelion (May-June) or about the end of May. ἐνάτῃ φθίνοντος Θαργηλιώνος, the 21st of Thargelion, or about June 7. τετράδι ἐπὶ δέκα Σκίροφοριώνος, the 14th of Scirophorion (June-July), or about the end of June.

ἔδει 'was bound' in ordinary course, according to the normal constitution.

τὴν εἰληχυῖαν τῷ κυάμῳ βουλὴν Thuc. viii 66 § 1, δῆμος μέντοι ὅμως ἐτι καὶ βουλὴ ἡ ἀπὸ τοῦ κυάμου ἐνυελέγετο, *ib.* 69 (of the attack of the Four Hundred and their emissaries on the Council of 412—411), ἐπέστησαν τοῖς ἀπὸ τοῦ κυάμου βουλευταῖς. The object of the emphatic mention of κύαμος is to point the contrast between the constitutional Council and

2 Σκιροφοριῶνος. ἡ μὲν οὖν ὀλιγαρχία τοῦτον κατέστη τὸν τρόπον ἐπὶ Καλλίου μὲν ἄρχοντος, ἔτεσιν δ' ὕστερον τῆς τῶν τυράννων ἐκβολῆς μάλιστα ἑκατόν, αἰτίων μάλιστα γενομένων Πεισάνδρου καὶ Ἀντιφώντος καὶ Θηραμένους, ἀνδρῶν καὶ γεγενημένων εἰς καὶ 10 [Col. 14.] 3 συνέσει καὶ γνώμῃ δοκούντων διαφέρειν. || γενομένης δὲ ταύτης τῆς πολιτείας οἱ μὲν πεντακισχίλιοι λόγῳ μόνον ἤρέθησαν, οἱ δὲ τετρακόσιοι μετὰ τῶν δέκα τῶν αὐτοκρατόρων εἰσελθόντες εἰς τὸ βουλευτήριον ἦρχον τῆς πόλεως, καὶ πρὸς Λακεδαιμονίους πρεσβευσάμενοι κατελύοντο τὸν πόλεμον ἐφ' οἷς ἑκάτεροι τυγχάνουσιν 15 ἔχοντες. οὐχ ὑπακου[σά]ντων δ' ἐκείνων εἰ μὴ καὶ τὴν ἀρχὴν τῆς [θ]αλάττης ἀφήσουσιν, οὕτως ἀπέστησαν.

8 ἔτεσι H-L. 9 μάλιστα ante ἑκατόν temere om. H-L, utpote e verbis proxime
 ερη
 sequentibus illapsum. 12 ΗΡΕΘΗΣΑΝ ΗΡΕΘΗΣΑΝΟΔΕ. 14 ἡρχόν <τε>
 Hude (K-W). 16 ὑπακου[ό]ντων H-L.

that of the Revolution. The latter was not appointed by lot out of the general body of citizens. Cf. 31, 4, οὓς ἂν ἔλωνται.

§ 2. μάλιστα ἑκατόν] B.C. 510—to end of May 411, or 99 years; hence μάλιστα. Thuc. viii 68, 4, ἐπ' ἔτει ἑκατοσφ' μάλιστα ἐπειδὴ οἱ τύραννοι κατελύθησαν.

Πεισάνδρου] Thuc. viii 49, 53—56, 63—68, esp. 68 § 1 (of the ἐκκλησία held at Colonus), ἣν δὲ ὁ μὲν τὴν γνώμην ταύτην εἰπὼν Πεισάνδρος, καὶ τάλλα ἐκ τοῦ προφανοῦς προθυμότητα ξυγκαταλύσας τὸν δῆμον· ὁ μέντοι πᾶν τὸ πρᾶγμα ξυνθεῖς ὅτῳ τρόπῳ κατέστη ἐς τοῦτο καὶ ἐκ πλείστου ἐπιμεληθεὶς Ἀντιφῶν ἦν, ἀνὴρ Ἀθηναίων τῶν καθ' ἑαυτὸν ἀρετῇ τε οὐδενὸς δεύτερος καὶ κράτιστος ἐνθυμηθῆναι γενόμενος καὶ ἃ γνώη εἰπεῖν. In § 3 Thuc. mentions Phrynichus who παρέσχε... ἑαυτὸν πάντων διαφερόντως προθυμότητα ἐς τὴν ὀλιγαρχίαν, and in § 4 Θηραμένης, who ἐν τοῖς ξυγκαταλύουσιν τὸν δῆμον πρῶτος ἦν, ἀνὴρ οὔτε εἰπεῖν οὔτε γνώμην ἀδύνατος. ὥστε ἀπ' ἀνδρῶν πολλῶν καὶ ἕνεστώων (cf. συνέσει) πραχθὲν τὸ ἔργον οὐκ ἀπεικότως καίπερ μέγα ὄν προὔχωρησε. On Peisander, see also Lys. 12 § 66; 25 § 9; and Andoc. 2 §§ 12—15; on Antiphon, Lys. 12 § 67; on Theramenes, *ib.* 62—78.

§ 3. λόγῳ μόνον] Thuc. viii 92 § 11, καὶ οἱ τετρακόσιοι διὰ τοῦτο οὐκ ἠθέλουν τοὺς πεντακισχιλίους οὔτε εἶναι οὔτε μὴ ὄντας δῆλους εἶναι, τὸ μὲν καταστῆσαι μετόχους τοσοῦτους ἄντικρυς ἂν δῆμον ἡγούμενοι, τὸ δ' αὖ ἀφανὲς φόβον ἐς ἀλλήλους παρέξιν.

οἱ δὲ τετρακόσιοι κτλ.] Thuc. viii 70, οἱ τετρακόσιοι εἰσελθόντες ἐς τὸ βουλευτήριον...

τά τε ἄλλα ἔνεμον κατὰ κράτος τὴν πόλιν κτλ. τῶν δέκα] the ten στρατηγοί of c. 31 § 2.

πρὸς Λακ. κτλ.] Thuc. *ib.* πρὸς τε Ἀγιν τὸν Λακεδαιμονίων βασιλέα ὄντα ἐν τῇ Δεκελείᾳ ἐπεκηρυκεύοντο, λέγοντες διαλαγῆναι βούλεσθαι (Grote, v p. 391). 71 § 3, μετὰ δὲ τοῦτο παρὰ τε τὸν Ἀγιν ἐπρεσβεύοντο οἱ τετρακόσιοι οὐδὲν ἤσσαν, κἀκείνων μᾶλλον ἤδη προσδεχομένου καὶ παραινούντος ἐκπέμπουσι καὶ ἐς τὴν Λακεδαίμονα περὶ ξυμβάσεως πρέσβεις βουλόμενοι διαλαγῆναι. 90 § 2, ἀπέστειλαν Ἀντιφῶντα καὶ Φρύνιχον καὶ ἄλλους δέκα κατὰ τάχος... ἐπιστείλαντες παντὶ τρόπῳ ὅστις καὶ ὅπως οὖν ἀνεκτὸς ξυναλλαγῆναι πρὸς τοὺς Λακεδαιμονίους. Lastly, 91 § 1, οἱ ἐκ τῆς Λακεδαίμονος πρέσβεις οὐδὲν πράξαντες ἀνεχώρησαν τοῖς ξύμπασι ξυμβατικόν. 'We read with astonishment,' says Grote, v 409, 'that the (Lacedaemonians) could not be prevailed upon to contract any treaty and that they manifested nothing but backwardness in seizing the golden opportunity.' But the envoys clearly could not answer for the armament at Samos, and therefore returned without obtaining any terms that would apply to the Athenians at large. The text tells us what we do not learn from Thucydides, viz. that the reason for this failure in the negotiations was due to the envoys declining to surrender the maritime supremacy of Athens. This embassy was afterwards impeached by Theramenes (Lysias 12 §§ 66—68); Antiphon was condemned and executed (Phrynichus had been already assassinated).

κατελύοντο] tentative impf.

33. μῆνας μὲν οὖν ἴσως τέτταρας διέμεινεν ἡ τῶν τετρακοσίων πολιτεία, καὶ ἤρξεν ἐξ αὐτῶν Μνησίλοχος δίμηνον ἐπὶ Θεοπόμῳ ἀρχοντας, <ὃς> ἤρξε τοὺς ἐπιλοίπους δέκα μῆνας. ἡττηθέντες δὲ τῇ περὶ Ἐρετρίαν ναυμαχίᾳ κ[αί] τῆς Εὐβοίας ἀποστάσης ὅλης πλὴν Ὠρεοῦ, χαλεπῶς ἐνεγκόντες ἐπὶ τῇ συμφορᾷ μάλιστα τῶν προγεγενημένων (πλείω γὰρ ἐκ τῆς Εὐβοίας ἢ τῆς Ἀττικῆς ἐτύγχανον ὠφελούμενοι), κατέλυσαν τοὺς τετρακοσίους καὶ τὰ πράγματα παρέδωκαν τοῖς πεντακισχιλίοις τοῖς ἐκ τῶν ὄπλων, ψηφισάμενοι μηδεμίαν ἀρχὴν εἶναι μισθοφόρον. αἰτιώτατοι δ' ἐγένοντο τῆς καταλύσεως Ἀριστοκράτης καὶ Θηραμένης, οὐ συνα-

ΛΟ

XXXIII 2 ΜΝΑΣΙΜΑΧΟΣ; Μνασίλοχος (κ, Η-Λ): Μνησίλοχος κ-ω, Β. 3 <ὃς> κ (κ-ω, Β): ὁ δ' Η-Λ. ἡττηθέντες δὲ <οἱ Ἀθηναῖοι>? Herwerden, Richards. 5 ὠριοῦ. 9 μισθοφόρων: μισθοφόρον J B Mayor, Rutherford, Naber, Fränkel, edd.

TESTIMONIA. 1 *Harp. s.v. τετρακοῖοι: ... οἱ τετρακοῖοι πρὸ ἐπτά ἐτῶν κατέστησαν τῶν τριάκοντα τυράννων παρ' Ἀθηναίους· οἵτινες τέτταρας μῆνας ἤρξαν τῆς πόλεως, ὥς φησιν Ἀρ. ἐν Ἀθ. πολ. (Frag. 372², 410³).

XXXIII § 1. μῆνας... ἴσως τέτταρας] The 400 were practically in power from the end of May to the end of June, also for the two months of July and August in the civil year next ensuing (δίμηνον). This makes *three* months. Hence the oligarchical revolution began about a month earlier, i.e. at the end of April, while the constitutional Council was still nominally in office (Thuc. viii 66, 1), and the four months are May, June, July and August. Thuc. viii 63, 3, places the fall of the democracy a little earlier than the spring of 411. It has been assigned to March 411, soon after the *Lenaia* in which the *Lysistrata* was produced (Wattenbach, *De Quadr.* p. 29, quoted by Classen, Thuc. l.c.). Similarly Grote, c. 63 *init.*, describes the Four Hundred as 'installed in the Senate-House about February or March 411 B.C., and deposed about July of the same year,' and speaks of Athens undergoing 'four or five months of danger and distraction.' It now appears that these dates are rather too early.

Μνησίλοχος] the archon eponymus selected by the 400. Μνησίλοχος is mentioned in the list of the Thirty given in Xen. *Hell.* ii 3, 2 and there is every probability that the two are the same. Cf. CIA iv 3, 179 d 1, p. 162, [Ἀθηναῖοι ἀνῆλ[ωσαν ἐπὶ Μνησιλόχου ἀρχο[ντος]. This expenditure was authorised not (as usual) by vote of the δῆμος, but ψηφισα-

μένης τῆς βουλῆς. At the date specified, the 21st of Hecatombaeon, the Four Hundred were still in power.

Θεοπόμῳ] the archon eponymus appointed by lot on the restoration of the democracy in the third month of the civil year, B.C. 411—10.

ἐπιλοίπους] not found in the *Index Ar.* In 40 § 1 we have the ordinary word ὑπολοίπους. ἐπίλοιπος is often used by Plato, *Rep.* 540 B and *Leg.* 728 D, τὸν ἐπίλοιπον βίον, *ib.* 628 A, εἰς τὸν ἐπίλοιπον χρόνον.

τῇ περὶ Ἐρετρίαν ναυμαχίᾳ] Thuc. viii 95. In Lys. 20 § 14 one of the καταλογεῖς sails for Eretria after holding office under the 400 for eight days only. πλὴν Ὠρεοῦ. Thuc. l.c. § 7, (the Lac.) Εὐβοίαν ἅπασαν ἀποστήσαντες πλὴν Ὠρεοῦ.

χαλεπῶς ἐνεγκόντες κτλ.] Thuc. viii 96 § 1, τοῖς δ' Ἀθηναίοις ὥς ἦλθε τὰ περὶ τὴν Εὐβοίαν γεγενημένα, ἐκπληξίς μεγίστη δὴ τῶν πρὶν παρέστη.

πλείω—ὠφελούμενοι] Thuc. viii 96 § 2, (Euboea) ἐξ ἧς πλείω ἢ τῆς Ἀττικῆς ὠφελούντο. Decelea was at this time in the occupation of Agis.

κατέλυσαν τοὺς τετρακοσίους κτλ.] Thuc. viii 97 § 1, τοὺς τετρακοσίους καταπαύσαντες τοῖς πεντακισχιλίοις ἐψηφίσαντο τὰ πράγματα παραδοῦναι· εἶναι δὲ αὐτῶν ὅποιοι καὶ ὅπλα παρέχονται· καὶ μισθὸν μηδένα φέρειν μηδεμιᾷ ἀρχῇ.

§ 2. Ἀριστοκράτης καὶ Θηραμένης] Thuc. viii 89, 2 (of the opposition to the

ρεσκόμενοι τοῖς ὑπὸ τῶν τετρακοσίων γιγνομένοις· ἅπαντα γὰρ δι' αὐτῶν ἔπραττον, οὐδὲν ἐπαναφέροντες τοῖς πεντακισχιλίοις. δοκοῦσι δὲ καλῶς πολιτευθῆναι κατὰ τούτους τοὺς καιροὺς, πολέμου τε καθεστῶτος καὶ ἐκ τῶν ὅπλων τῆς πολιτείας οὐσης. ¹⁴

34. τούτους μὲν οὖν ἀφείλετο τὴν πολιτείαν ὁ δῆμος διὰ τάχους· ἔτει δ' ἐβδόμῳ μετὰ τὴν τῶν τετρακοσίων κατάλυσιν, ἐπὶ Καλλίου τοῦ Ἀγγεληθέν ἄρχοντος, γενομένης τῆς ἐν Ἀργινοῦσαις ναυμαχίας, πρῶτον μὲν τοὺς δέκα στρατηγούς τοὺς τῇ ναυμαχίᾳ ⁴

11 ΓΕΝΟΜΕΝΟΙΣ; γιγνομένοις K-W; γυν. H-L, K³, B. 13 an καίπερ πολέμου? Herwerden.

XXXIV 2 ΕΒΔΟΜΟΙ: ἔκτω K-W².

ΚΑΤΑΛΥCIN K, H-L, K-W², B; κατὰστασιν

ΔΙ

K-W¹. 3 ΑΡΓΙΝΟΥCΑC: Ἀργινοῦσαις B. νικῶντας e margine irrepsisse putat Richards.

4 τὴν ναυμαχίαν Tyrrell. τοὺς—

TESTIMON. XXXIV 3—12 *Schol. Arist. *Ran.* 1532 Κλεοφῶν δὲ μαχέσθω: παρόσον, ὡς Ἀρ. φησί, μετὰ τὴν Ἀργινοῦσαις ναυμαχίαν Λακεδαιμονίων βουλομένων ἐκ Δεκελείας ἀπιέναι ἐφ' οἷς ἔχουσιν ἐκάτεροι καὶ εἰρήνην ἄγειν ἐπὶ (τοῦ secl. κ-ω) Καλλίου, Κλεοφῶν ἔπεισε τὸν δῆμον μὴ προσδέεσθαι, “ἐλθὼν εἰς τὴν ἐκκλησίαν—ἐὰν μὴ πάσας ἀφῶσι τὰς πόλεις οἱ Λακεδαιμόνιοι” (Frag. 370², 408³).

extreme members of the 400), ἔχοντες ἡγεμόνας τῶν πάντων [στρατηγῶν] τῶν ἐν τῇ ὀλιγαρχίᾳ [καὶ] ἐν ἀρχαῖς ὄντων, οἷον Θηραμένην τε τὸν Ἀγνώσων καὶ Ἀριστοκράτην τὸν Σκελλίων. Lys. 12 § 66, (Theramenes) μετέσχε τῶν Ἀριστοκρατῶν ἔργων.

Aristocrates had been one of the envoys who negotiated the peace of 421 B.C. (Thuc. v 19 and 24). In 414 B.C. he is represented as a typical ‘aristocrat’ in Arist. *Aves*, 125, (Ἐποπ.) ἀριστοκρατεῖσθαι δῆλος ἐλ ζήτων. (Εὐέλπ.) ἐγὼ; | ἡκιστα· καὶ τὸν Σκελλίων βδελύττομαι, cf. Plat. *Gorg.* 472 A. He was a ταξίαρχος under the 400 (Thuc. viii 92) and is extolled by the author of the speech against Theocritus, [Dem.] 58 § 67, for taking part in the destruction of the fortress of Ectoneia and restoring the democracy. He was one of the generals at Arginusae (406).

οὐδὲν ἐπαναφέροντες τοῖς πεντακισχιλίοις] In Thuc. *l.c.* the opponents of the 400 insist τοὺς πεντακισχιλίους ἔργῳ καὶ μὴ ὀνόματι χρῆναι ἀποδεκνύναι.

δοκοῦσι δὲ καλῶς πολιτευθῆναι κτλ.] Thuc. viii 97, 2, οὐχ ἡκιστα δὴ τὸν πρῶτον χρόνον ἐπὶ γ' ἐμοῦ Ἀθηναῖοι φαίνονται εὖ πολιτεύσαντες· μετρία γὰρ ἦ τε ἐς τοὺς ὀλίγους καὶ ἐς τοὺς πολλοὺς ξύγκρασις ἐγένετο καὶ ἐκ πονηρῶν τῶν πραγμάτων τοῦτο πρῶτον ἀνῆγεκε τὴν πόλιν. Grote c. 57, v 430.

ἐκ τῶν ὅπλων] c. 4 § 2, ἀπεδέδοτο ἡ πολιτεία τοῖς ὅπλοις παρεχομένοις. *Pol.* 1297 b 1, δεῖ δὲ τὴν πολιτείαν εἶναι μὲν ἐκ τῶν

τὰ ὅπλα ἔχοντων μόνων.

XXXIV. *Arginusae* and *Aegospotami*.

§ 1. ἔτει δ' ἐβδόμῳ κτλ.] The archonship of Theopompus was in B.C. 411/0; that of Callias in 406/5. Thus, the latter was in the *sixth* year after the overthrow of the Four Hundred. Mr Kenyon suggests that ‘the calculation was probably made by inadvertence from the *establishment* of the Four Hundred, which was in the official year 412—411 B.C.’

τοῦ Ἀγγεληθέν] Added to distinguish him from the Callias who was archon in B.C. 412 (c. 32 § 1). Others of the same name were archons in 456 and 377.

It was more usual to remove such ambiguities by adding the archon of the previous year, e.g. *Arg.* to Arist. *Ranae*, ἐπὶ Καλλίου τοῦ μετ' Ἀντιγενῆ (the Callias of the text); Schol. *Ach.* 10, Καλλίου τοῦ μετὰ Μνησίθεον (the Callias of 456). In Schol. *Nub.* 971 Phrynus is said to have been victorious at the Panathenaea ἐπὶ Καλλίου ἄρχοντος, probably B.C. 406, as this was the third year of the Olympiad (Wyse).

Ἀργινοῦσαις] Xen. *Hell.* i 6, 27—38. Cf. Grote, c. 64, v 501—536; Holm, *Gr. Gesch.* ii 573 ff, 585.

τοὺς δέκα στρατηγούς] In Xen. *Hell.* i 5, 16 we have the names of the ten generals: Conon, Diomedon, Leon (also mentioned in 6 § 16, but probably a mistake for Lysias, who is mentioned in 6 § 30, and 7 § 1), Pericles, Erasinides, Aristocrates, Archestratus, Protomachus,

νικῶντας συνέβη κριθῆναι μιᾷ χειροτονίᾳ πάντας, τοὺς μὲν οὐδὲ

Thrasyllus, Aristogenes. Of these Conon was blockaded in the harbour of Mitylene, and was therefore not present at the battle of Arginusae (*Hell.* 6 §§ 16 ff.). Leon and Erasinides were with Cleon when he first made for Mitylene (*l.c.* § 16) and we hear no more of them until we find Erasinides among those engaged in the battle (§ 29). The other generals engaged in it were Aristocrates, Diomedon, Pericles, Protomachus, Thrasyllus, Lysias, and Aristogenes. We know from Lysias 21 § 8 that Archestratus died at Mitylene, though Xenophon is silent on this point; and Erasinides probably left Mitylene on board the vessel mentioned in the passage of Lysias just quoted: ἀποθανόντος δὲ τούτου (Archestratus) ἐν Μυτιλήνῃ Ἐρασινίδης μετ' ἐμοῦ συνέπλει. (Bauer p. 159, assumes that Leon is the tenth general of whom Xenophon is silent, and that he is not identical with the general who bears the name of Lysias.)

Thus only eight of the ten were engaged in the battle; after the battle, the generals were recalled. Two of them, Protomachus and Aristogenes, declined to come. 'Warned of the displeasure of the people and not confiding in their own case to meet it, they preferred to pay the price of voluntary exile' (Grote v 510, c. 64).

Only six returned to Athens. It was ultimately proposed to the Council by Callixenus (*Xen. Hell.* i 7 § 9) and carried, that the case should be decided by the public assembly voting in their tribes by ballot, and that one single vote was to decide the case of all the generals (§ 34, μιᾷ ψήφῳ ἅπαντας κρίνουν). In the assembly it was moved by Euryptolemus that each of the generals should be tried separately (κρίνεσθαι τοὺς ἄνδρας δίχα ἕκαστον, *ib.*). The assembly first voted by show of hands (διαχειροτονία) in favour of this motion, and then against it; thereupon they condemned all the *eight* generals who had taken part in the battle (κατεψηφίσαντο τῶν ναυμαχησάντων στρατηγῶν, ὅκτῳ ὄντων). The six who had returned were put to death.

If we now turn from the narrative in Xenophon to the description in the text, we find several discrepancies: (1) *all* the ten are put on their trial, not eight alone; (2) they are tried μιᾷ χειροτονίᾳ, whereas it was only the vote on the rival motions (including the decision to try them collectively) that was taken by show of

hands, and the final verdict was given by ballot (διαψήφισις). τοὺς μὲν οὐδὲ συν-ναυμαχήσαντας must refer to Conon who was at Mitylene, and to Archestratus who died there. τοὺς δ' ἐπ' ἄλλοτρίας νεῶς σωθέντας is so far borne out by Xenophon that, according to the statement made in the speech of Euryptolemus (*l.c.* § 32), *one* of the generals was ἐπὶ καταδύσεως νεῶς διασωθείς (cf. Diod. xiii 99).

As regards our other authorities, Philochorus (frag. 121) speaks of six generals as having been put to death; Diodorus (xiii 101—2) describes six only as actually condemned. According to Androtion's *Atthis* (quoted by Pausanias vi 7, 7) the decision was limited to the generals who actually took part in the battle. Plut. *Per.* 37 says of Pericles the younger, τοῦτον...ἀπέκτεινεν ὁ δῆμος μετὰ τῶν συστρατηγῶν. The Schol. on Aristoph. *Ran.* 698 describes four of the generals as having escaped and six as having been put to death. This is somewhat fancifully regarded by Bauer (p. 161) as implying that the charge concerned all the ten.

Plato *Apol.* 32 B says: ὅτε ὑμεῖς τοὺς δέκα στρατηγούς τοὺς οὐκ ἀνελομένους τοὺς ἐκ τῆς ναυμαχίας ἐβουλεύσασθε ἀθρόους κρίνουν παρανόμως, τότε ἐγὼ μόνος τῶν πρυτάνεων ἡγαντιώθην ὑμῶν. [Plat.] *Axioch.* 368 D states that all the ten στρατηγοὶ were condemned to death. This account is carelessly followed by Aelian *V. H.* iii 17, οὐκ ἐπεψήφισεν Ἀθηναίους (Σωκράτης) τὸν τῶν δέκα στρατηγῶν θάνατον. Cf. Valerius Max. iii 8, 3 and Schol. Aristid. iii 245, 24 Dind.

According to Bauer the 'dream of Thrasyllus' (Diod. xiii 97, 6) implies that *seven* of the generals were put to death. The seventh (he suggests) was Leon. Diodorus (xiii 101 § 5) states that Conon also was accused but acquitted. Bauer considers the account in the text too definite in its terms (*zu scharf ausgedrückt*), in so far as it takes no note of Conon's acquittal; but he actually regards it as more correct than the narrative in Xenophon. He suggests that Xenophon passes over the case of Leon who had not been present at the battle, because it would put the injustice of the sentence in too extreme a light. In Bauer's opinion the author can only refer to Leon in the vague plural τοὺς οὐδὲ συνναυμαχήσαντας, which Bauer admits is an exaggeration.

συνναυμαχήσαντας, τοὺς δ' ἐπ' ἀλλοτρίας νεὼς σωθέντας, ἑξαπατη-
θέντος τοῦ δήμου διὰ τοὺς παροργίσαντας· ἔπειτα βουλομένων
Λακεδαιμονίων ἐκ Δεκελείας ἀπιέναι καὶ ἐφ' οἷς ἔχουσιν ἑκάτεροι
[Col. 15.] εἰρήνην ἄγειν, ἔνιοι μὲν ἐσπούδαζον, τὸ δὲ πλῆθος || οὐχ ὑπήκουσεν
ἑξαπατηθέντες ὑπὸ Κλεοφώντος, ὃς ἐκώλυσε γενέσθαι τὴν εἰρήνην 10
ἐλθὼν εἰς τὴν ἐκκλησίαν μεθύων καὶ θώρακα ἐνδεδυκώς, οὐ φάσκων

6 ΕΞΑΠΑΤΗΘΕΝΤΕΣ CORR. K.

Wyse, Blass, Herwerden, Naber, Gennadios, coll. Schol. Arist. *Ran.* 1532, H-L, K-W, K³.

ΚΑΙ ΕΦ' ΟΙΣ ΕΧΟΥΣΙΝ ΙΡΗΝΗΝ ΕΚΑΤΕΡΟΙ ΔΡΕΙΝ; καὶ ἐφ' οἷς ἔχουσιν ἑκάτεροι εἰρήνην ἄγειν K (H-L);—εἰρήνην ἄγειν ἑκάτεροι Gomperz; ἐφ' οἷς ἔχουσιν ἑκάτεροι καὶ εἰρήνην ἄγειν K-W e Schol. Arist. (et B, in archetypo ἐφ' οἷς ἔχουσιν ἑκάτεροι supra versum adscriptum fuisse arbitratus). 9 ὑπήκουσαν mavult Herwerden. 10 ἑξαπατηθέν ἐν Rutherford.

7—12 *Schol. Arist. *Ran.* 1532; v. Testimonia in p. 129.

ἑξαπατηθέντος τοῦ δήμου] Xen. *Hell.* i 7 § 35, ὅστερον... ἐψηφίσαντο οἷτινες τὸν δῆμον ἐξηπάτησαν, προβολὰς αὐτῶν εἶναι καὶ ἐγγυητὰς καταστήσαι, ἕως ἂν κριθῶσιν.
παροργίσαντας] in Act. hitherto found only in N. T.

ἐκ Δεκελείας ἀπιέναι] Decelea had been occupied by Agis since the spring of 413 B.C. (Thuc. vii 19 § 1), and it was retained until the end of the Peloponnesian war. On the site, about 15 miles N.E. of Athens, near the entrance of the defile leading between Parnes and Pentelicus from the plain of Athens to Oropus and Tanagra, see Leake's *Demi* p. 18 and plan in Curtius, *Sieben Karten*.

ἐφ' οἷς ἔχουσιν ἑκάτεροι κτλ.] These overtures after the battle of Arginusae are not mentioned by Xenophon or Diodorus. The terms are the same as those proposed, according to Diodorus (xiii 52), after the battle of Cyzicus in 410 B.C., and opposed by Cleophon (*ib.* 53) (see Grote c. 63, v 458—461). The present overtures are in fact 'a second edition' of those put forward four years previously. Xenophon says nothing of them on either occasion. The account in Diodorus led Grote (c. 65 *init.* p. 537 n) to suppose that the Scholiast on Aristoph. *Ranae ult.*, who quotes the present passage, had confounded the two battles. It now appears that the Scholiast's quotation was correct. It is not improbable that Diodorus is wrong. It is to the overtures in the text that we should refer the account in Philochorus, fragm. 117—118 Müller (ap. Schol. ad Eur. *Orest.* 371):—Λακεδαιμονίων πρεσβευσαμένων περὶ εἰρήνης ἀπιστήσαντες οἱ Ἀθηναῖοι οὐ προσήκοντο. Cf. Schol. on l. 722. Grote v 460 n.

ἑξαπατηθέντες ὑπὸ Κλεοφώντος] In c. 28 § 4 Cleophon (and Callicrates) are described as having 'deceived the people.' Cleophon's action is described as follows in Lysias 13 § 8, ὅτε γὰρ ἡ πρώτη ἐκκλησία περὶ τῆς εἰρήνης ἐγένετο, καὶ οἱ παρὰ Λακεδαιμονίων ἦκοντες ἔλεγον ἐφ' οἷς ἔτοιμοι εἶεν τὴν εἰρήνην ποιεῖσθαι Λακεδαιμόνιοι, εἰ κατασκαφείη τῶν τευχῶν τῶν μακρῶν ἐπὶ δέκα στάδια ἑκατέρου, τότε ὑμεῖς τε, ὦ ἄν. Ἀθ., οὐκ ἠνέσχασθε ἀκούσαντες περὶ τῶν τευχῶν τῆς κατασκαφῆς, Κλεοφῶν τε ὑπὲρ ὑμῶν πάντων ἀναστὰς ἀντείπειν ὡς οὐδενὶ τρόπῳ οἶόν τε εἴη ποιεῖν ταῦτα. Aeschin. *F. L.* 76, Κλεοφῶν... ἀποκρίνεν ἡπίλει μαχαίρα τὸν τράχηλον, εἰ τις τῆς εἰρήνης μνησθήσεται, and *F. L.* 151, παντάπασιν ἐκφρων ἐγένετο (with schol. on 150, where εἰ τις εἰρήνην γεννηθήσεται, printed εἰρήνης γεννητῆς ἔσται, is clearly a mistake for εἰρήνης μνησθήσεται). Cf. Arist. *Ran.* *ad fin.* Κλεοφῶν δὲ μαχέσθω, and Holden's *Onomasticon s. v.*

μεθύων καὶ θώρακα ἐνδεδυκώς] It has been suggested (by Hartman) that we should read θώρακα ἔχων and interpret the latter as a metaphorical phrase equivalent to μεθύων (coll. Aristoph. *Vesp.* 1195 etc). If so, the writer has misinterpreted a phrase borrowed from a comedy and quite out of place here. But there is nothing unreasonable in Cleophon's appearing in armour. His life was not safe, as may be inferred from the animosity with which he was regarded by members of the oligarchical party (Aristoph. *Ran.* 1504, Lys. 13 § 7 ff., 30 § 10 ff.). (Herwerden's n.) It will be remembered that Cicero, at the time of the Catilinarian conspiracy, went down to the *Campus Martius* armed with a *lata insignique lorica* (Cic. *pro Murena*, § 52).

ἐπιτρέψκειν ἔαν μὴ πάσας ἀφώσι Λακεδαιμόνιοι τὰς πόλεις. οὐ 2
 χρησάμενοι δὲ καλῶς τότε τοῖς πράγμα[σι], μετ' οὐ πολὺν χρόνον
 ἔγνωσαν τὴν ἁμαρ[τίαν]. τῷ γὰρ ὕστερον ἔτει ἐπ' Ἀλεξίου
 15 ἄρχοντος ἡτύχησαν τὴν ἐν Αἰγὸς ποταμοῖς ναυμαχίαν, ἐξ ἧς
 συνέβη κύριον γενόμενον τῆς πόλεως Λύσανδρον καταστήσαι τοὺς
 τριάκοντα τρόπῳ τοιῷδε. τῆς εἰρήνης γενομένης αὐτοῖς ἐφ' ᾧ τε 3
 πολιτεύσονται τὴν πατριον πολιτείαν, οἱ μὲν δημοτικοὶ διασφάζειν
 ἐπειρῶντο τὸν δῆμον, τῶν δὲ γνωρίμων οἱ μὲν ἐν ταῖς ἐταιρείαις
 20 ὄντες καὶ τῶν φυγάδων οἱ μετὰ τὴν εἰρήνην κατελθόντες ὀλιγαρχίας
 ἐπεθύμουν, οἱ δ' ἐν ἐταιρείᾳ μὲν οὐδεμιᾷ συγκαθεστῶτες [ἄ]λλως
 δὲ δοκοῦντες οὐδενὸς ἐπιλείπεσθαι τῶν πολιτῶν τὴν πατριον
 πολιτείαν ἐζήτουν· ὧν ἦν μὲν καὶ Ἀρχίνος καὶ Ἄνυτος καὶ
 Κλειτοφῶν καὶ Φορμίσιος καὶ ἕτεροι πολλοί, προειστήκει δὲ

12 ἀφίωσι (κ): ἀφῶσι Naber, Gennadios, Richards, K-W, H-L, B e schol. Arist.
 C

18 διασφάζειν; -σῶσαι κ¹; -σῶσαι hiatus admissio J B Mayor et Wyse; -σφάζειν Blass,
 K-W, H-L, K². 20 ἀρχίαν corr. J B Mayor, Rutherford, Blass, Fränkel.

22 ἐπιλίπτεσθαι: ἐπιλείπ. K, B, ('an λείπεσθαι?') K-W; ἀπολείπ. Richards, Gennadios,
 Kontos, Hultsch (H-L). 23 ἐζητοῦν (κ, K-W, B): ἐξήλουν H-L.

§ 2. ἐπ' Ἀλεξίου] B.C. 405/4.
 ἡτύχησαν τὴν—ναυμαχίαν] an excep-
 tional, but quite intelligible, phrase for
 expressing 'defeat in the naval engage-
 ment.' We have something like it in
 Aristides ii 334 Dind., Σοφοκλῆς Φιλο-
 κλέους ἡττάτο...τὸν Οἰδίπουν.

ἐν Αἰγὸς ποταμοῖς] Xen. *Hell.* ii 1,
 21—32. Plut. *Lysander*, c. 11—12. Grote
 c. 65, v 542—7.

Λύσανδρον] Lysias 12 §§ 72—76. Plut.
Lys. 15, τριάκοντα μὲν ἐν ἄστει, δέκα δὲ ἐν
 Πειραιεῖ καταστήσας ἄρχοντας, Grote c.
 65, v 559.

§ 3. τὴν πατριον πολιτείαν] c. 31,
 l. 3. Xen. *Hell.* ii 3 § 2, ἔδοξε τῷ δήμῳ
 τριάκοντα ἄνδρας ἐλέσθαι, οἱ τοὺς πατρίους
 νόμους ἐγγράψωσι, καθ' οὓς πολιτεύσουσι.
 The term (as Mr Kenyon observes) was
 'sufficiently vague,' indicating generally
 the constitution of Solon; but, as the
 virtue of the constitution depended on
 its working, it was possible for moderate
 democrats, extreme oligarchs, and mode-
 rate aristocrats alike to hope that it would
 be modelled according to their views.
 Diodorus (xiv 3) recounts the arguments
 of the opposing parties at some length,
 and describes Theramenes as urging the
 Athenians to follow τῇ πατρίῳ πολιτείᾳ.

τῶν γνωρίμων] 2 § 1, 5 § 1, 16 § 9, 28 § 2.
 ἐταιρείαις] Cf. Thuc. iii 82, 8; viii
 54, 4. Hermann, *Staatsalt.* 70, 2 and
 10; Schömann, *Ant.* p. 363 E. T.

Ἀρχίνος] Dem. *Timocr.* p. 742 § 135,
 Ἀρχίνου...τοῦ καταλαβόντος Φυλῆν καὶ μετὰ
 γε τοὺς θεοὺς αἰτιωτάτου ὄντος τῆς καθόδου
 τῷ δήμῳ καὶ ἄλλα πολλὰ καὶ καλὰ πεπο-
 λτευμένου καὶ ἐστρατηγηκότος πολλάκις.
 Isocr. 18 § 2, Aeschin. c. *Ctes.* 187, 195.
Inf. c. 40 §§ 1, 2.

Ἄνυτος] In the speech made by
 Theramenes in his defence, in Xen. *Hell.*
 ii 3 § 42, Anytus is mentioned with
 Thrasybulus and Alcibiades: οὐκ αὖ ἐδόκει
 μοι οὔτε Θρασύβουλον οὔτε Ἄνυτον οὔτε
 Ἀλκιβιάδην φυγαδεύειν, and *ib.* § 44,
 πότερον οἴεσθε Θρασύβουλον καὶ Ἄνυτον
 καὶ τοὺς ἄλλους φυγάδας ἃ ἐγὼ λέγω
 μᾶλλον ἢ ἐνθάδε βούλεσθαι γίνεσθαι ἢ
 ἃ οὔτοι πράττουσιν;

Κλειτοφῶν] the proposer of the rider
 to the proposal of Pythodorus respecting
 the establishment of the 400 (29 § 3).
 Isocr. *Callim.* 11 § 30. He is possibly
 the same as the son of Aristonymus and
 pupil of Socrates who gives his name to
 Plato's *Cleitophon*. In Plut. *Mor.* 805
 Κλειτοφῶν (mentioned with Cleon) is
 probably a mistake for Κλεοφῶν.

Φορμίσιος] Ὑπόθεσις to Lysias *Or.* 34,
 Dionys. Halic. *de Lysia*, c. 32, τοῦ γὰρ
 δῆμον κατελθόντος ἐκ Πειραιῶς, καὶ ψφί-
 σαμένου διαλύσασθαι πρὸς τοὺς ἐν ἄστει,
 καὶ μηδενὸς τῶν γεγενημένων μνηστικακῶν,
 δέους δὲ ἔντος, μὴ πάλιν τὸ πλῆθος εἰς τοὺς
 εὐπρόρους ὑβρίσει τὴν ἀρχαίαν ἐξουσίαν κεκο-
 μισμένον, καὶ πολλῶν ὑπὲρ τούτου γινομέ-

μάλιστα Θηραμένης. Λυσάνδρου δὲ προσθεμένου τοῖς ὀλιγαρχι-²⁵
κοῖς καταπλαγεῖς ὁ δῆμος ἡναγκάσθη χειροτονεῖν τὴν ὀλιγαρχίαν.
ἔγραψε δὲ τὸ ψήφισμα Δρακοντίδης Ἀφιδναῖος.

35. οἱ μὲν οὖν τριάκοντα τοῦτον τὸν τρόπον κατέστησαν ἐπὶ
Πυθοδώρου ἄρχοντος. γενόμενοι δὲ κύριοι τῆς πόλεως τὰ μὲν
ἄλλα τὰ δόξαντα περὶ τῆς πολιτείας παρεώρων, πεντακοσίους δὲ
βουλευτὰς καὶ τὰς ἄλλας ἀρχὰς καταστήσαντες ἐκ προκρίτων
ἐκ τῶν χιλίων, καὶ προσελόμενοι σφίσιν αὐτοῖς τοῦ Πειραιέως 5

XXXV 1 ΚΑΤΕΣΤΗCΕ CORR. K. 5 ἐκ τῶν χιλίων delet Marindin: πεντακισχι-
λίων? K-W, ἐκ τῶν πεντακισχιλίων Thompson, H-L; ἐκ τῶν φυλῶν Hude. καὶ τὰς
ἄλλας ἀρχὰς καταστήσαντες ἐκ προκρίτων ἐκ τῶν χιλίων post μισθοφόρον in c. 33, 9 ponit
Harberton, mutato χιλίων in πεντακισχιλίων et nostro in loco προσελόμενοι δὲ scripto
Ε

(Class. Rev. vi 123).

ΠΙΡΑΙΩC: Πειραιέως K, K-W; Πειραιῶς H-L, B.

TESTIM. XXXIV 27 *Schol. Arist. *Vesp.* 157 Δρακοντίδης: ...ἔστι γὰρ οὗτος ὁ τὸ περὶ
τῶν τριάκοντα ψήφισμα περὶ ὀλιγαρχίας γράψας, ὡς Ἀρ. ἐν πολιτείαις (Frag. 373², 411³).

XXXV 5—6 Bekk. *Anecdota*, p. 235 δέκα τινες εἰσι: δέκα ἦσαν τινες ἐν Πειραιεὶ οἱ
ἀρξάντες κατὰ τὴν τυραννίδα τῶν τριάκοντα. ἀλλὰ καὶ προσέταξαν αὐτοῖς εὐθύνας τῆς
ἀρχῆς δοῦναι. μὴ ἀγνοῶμεν δὲ ὅτι ἕτεροὶ εἰσι δέκα, οὓς Ἀθηναῖοι εἰλοντο μετὰ τὴν τῶν
τριάκοντα κατάλυσιν (c. 38, 5).

νων λόγων, Φορμισίους τις τῶν συγκατελθόν-
των μετὰ τοῦ δήμου γνώμην εἰσηγήσατο,
τοὺς μὲν φεύγοντας κατιέναι, τὴν δὲ πολι-
τείαν μὴ πᾶσιν, ἀλλὰ τοῖς τὴν γῆν ἔχουσι
παραδοῦναι, βουλομένων ταῦτα γενέσθαι
καὶ Λακεδαιμονίων. Grote c. 66 vi 4;
Schömann, *On Grote*, § 11, holds that it
is wrong to regard Phormisius as an ad-
herent of the oligarchical party; at the
same time he was no friend to extreme
democracy. Schömann's view is sup-
ported by the text.

He was sent with Epicrates and others
as an envoy to Artaxerxes before the Co-
rinthian war and accepted valuable gifts
from the king. The envoys were attacked
for this in the *Πρέσβεις* of Plato, ap.
Athen. 229 F (frag. 119 with Kock's
note). He is mentioned in Arist. *Ran.*
965 as an admirer (μαθητῆς) of Aeschylus.
Didymus, in Schol. *ad loc.*, describes him
as δραστικὸς καὶ τὴν κόμην τρέφων καὶ
φοβερός δοκῶν εἶναι.

Λυσάνδρου—τοῖς ὀλιγαρχικοῖς] Dio-
dorus, xiv 3.

ψήφισμα] Isocr. 15 § 67, οἱ μὲν γὰρ
ψήφισματι παραλαβόντες τὴν πόλιν.

Δρακοντίδης] Lysias 12 § 73, Θηρα-
μένης ἐκέλευσεν ὑμᾶς τριάκοντα ἀνδράσιν
ἐπιτρέψαι τὴν πόλιν, καὶ τῇ πολιτείᾳ χρῆσθαι
ἣν Δρακοντίδης ἀπέφαιεν. Aristoph. *Vesp.*
157 with Schol. He was himself nomi-
nated as one of the Thirty (Xen. *Hell.* ii
3 § 2; Hypereid. ap. Harp. s.v.). Cf.
Plat. *Com. frag.* 139 Kock.

XXXV—XXXVII. *The Rule of the
Thirty.*

XXXV § 1. οἱ...τριάκοντα] Dio-
dorus (xix 32 etc) is the first writer who
calls them οἱ τρ. τύραννοι. The same
designation occurs in Plut. *Sull.* 5 and
in later writers.

ἐπὶ Πυθοδώρου ἄρχοντος] δν Ἀθηναῖοι,
ὅτι ἐν ὀλιγαρχίᾳ ἡρέθη, οὐκ ὀνομάζουσιν,
ἀλλ' ἀναρχίαν τὸν ἐναντὶν καλοῦσιν, Xen.
Hell. ii 3 § 1; cf. however Lys. 7 § 9.

τὰ μὲν ἄλλα—βουλευτὰς—καταστή-
σαντες] Xen. *Hell.* ii 3 § 11, αἰρεθέντες
ἐφ' ᾧ τε ξυγγράψαι νόμους, καθ' οὓσιν
πολιτεύσονται, τοῦτους μὲν αἰεὶ ἐμελλον
ξυγγράφειν τε καὶ ἀποδεικνύναι, βουλὴν δὲ
καὶ τὰς ἄλλας ἀρχὰς κατέστησαν, ὡς ἐδόκει
αὐτοῖς. τὰς ἄλλας ἀρχὰς, e.g. that
of King-Archon which was filled by
Patrocles, Isocr. *Callim.* 18 § 6.

ἐκ προκρίτων ἐκ τῶν χιλίων] 'out of
those selected beforehand, i.e. out of the
1000.' If χιλίων is right, the reference
is to the Knights. Cf. Philochorus, fragm.
100, ap. Hesych. s.v. ἱππῆς, ἱππεῖς
(Ἱππεῦσιν Schow) ἀλλ' εἰσιν ἱππῆς ἄνδρες
ἀγαθοὶ χίλιοι [Aristoph. *Eg.* 225]. σύστημα
πολεμικῶν ἀνδρῶν χιλίων ἵππους τρεφόντων.
Φιλόχορος δὲ ἐν τετάρτῳ εἰρηκε, πότε κατε-
στάθησαν χίλιοι. διάφορα γὰρ ἦν ἱππέων
πλήθη κατὰ χρόνον Ἀθηναίους. Cf. Gilbert's
Gr. St. i 305. The Knights were generally
credited with oligarchical sympathies. Cf.
Martin, *Les Cavaliers Athéniens*, 1886,

ἄρχοντας δέκα καὶ τοῦ δεσμωτηρίου φύλακας ἔνδεκα καὶ μαστιγοφόρους τρια[κ]οσίους ὑπηρέτας, κατεῖχον τὴν πόλιν δι' ἑαυτῶν. τὸ μὲν οὖν πρῶτον μέτριοι τοῖς πολίταις [ῆ]σα[ν] καὶ προσεποιούντο διώκειν τὴν πάτριον πο[λιτ]είαν, καὶ τοὺς τ' Ἐφιάλτου καὶ
 10 Ἀρχεστράτου νόμους τοὺς περὶ τῶν Ἀρεοπαγιτῶν καθείλον ἐξ Ἀρείου [πάγου] καὶ τῶν Σόλωνος θεσμῶν ὅσοι διαμφισβητ[ήσ]εις εἶχον, καὶ τὸ κύρος ὃ ἦν ἐν τοῖς δικασταῖς κ[ατέ]λυσαν, ὥς ἐπανορθοῦντες καὶ ποιοῦντ[ες] ἀναμφισβήτητον τὴν πολιτείαν.

7 ὑπηρ. del. Rutherford.

ΕΔΥΤΩΝ: αὐτῶν J B Mayor sc. τῶν ὑπηρετῶν (H-L).

8 πολιτεύμασι Poste.

9 ΔΙΟΙΚΕΙΝ (K coll. c. 27, 11): διώκειν Kontos, Gertz, K-W, H-L, B, coll. c. 13, 18.

11 ΔΙΑΜΦΙΣΒΗΤ.

13 ΑΝΑΜΦΙΣΒΗΤΗΤΟΝ.

Post annum 329 A.C. etiam in titulis Atticis apparet ζ aut σζ pro σ, e.g. ἐνδέξμους (329 A.C.), ψήφισμα (paullo post 100 A.C.), Meisterhans, p. 68².

pp. 472—480, *Les Cavaliers et les Trente*.

It is improbable however that the select body, out of which the 500 and the other officials were appointed, numbered only 1000. Hence it has been proposed to read πεντακισχιλίων (or ἐκ τῶν π.), but (as observed by Mr Kenyon) we know of no such body as in existence at this time, unless it is vaguely applied (as under the 400) to all capable of bearing arms.

τοῦ Πειραιέως ἀρχοντας δέκα] Plut. *Lysander* 15, δέκα δὲ ἐν Πειραιεὶ κατστήσας ἀρχοντας. Plat. *Epist.* vii p. 324 B. Scheibe, *Oligarchische Umwälzung*, p. 68.

ἔνδεκα] c. 52 § 1. Xen. *Hell.* ii 3 § 54. This new board of Eleven was under the control of Satyrus, one of the most violent partisans of the Thirty.

μαστιγοφόρους] The word occurs in Thuc. iv 47. Xen. *Hell.* ii 3 § 23 mentions certain νεάνισκοι, who carried out the orders of the Thirty, but their number is not specified.

§ 2. μέτριοι] cf. Xen. *Hell.* ii 3 § 12. The Thirty began by attacking the συκοφάνται alone. Plut. *Mor.* ii pp. 959, 998. *Inf.* l. 18.

Ἐφιάλτου] c. 25 § 2.

Ἀρχεστράτου] Possibly the στρατηγός of that name in the Peloponnesian war, a son of Lycomedes (Thuc. i 57 § 4; Xen. *Hell.* i 5, 16; ii 2, 15). He died at Mitylene (Lys. 21 § 8). In Thuc. viii 74 § 1 we have an Archestratus, who is described as the father of Chaereas.

Mr Kenyon conjectures that 'probably Archestratus was one of the supporters of Ephialtes, and some of the laws curtailing the power of the Areopagus stood in his name.'

καθείλον ἐξ Ἀρείου πάγου] This implies that the laws of Ephialtes &c limiting the powers of the Areopagites were actually preserved on the Areopagus and that the Thirty removed them from the hill of Ares and thereby virtually repealed them. The context further implies that the laws of Solon were also preserved on the Areopagus, whereas they were really preserved in the Prytaneum (note on 7 § 1, κύρβεις). Possibly we should strike out ἐξ Ἀρείου πάγου. As a milder remedy we may remove the comma after εἶχον, so as to bring the laws of Solon here referred to under the influence of the verb κατέλυσαν: but as the text stands, the laws of Solon are coupled to those of Ephialtes and Archestratus and can only be separated from them by striking out τ' before Ἐφιάλτου.

Σόλωνος] Schol. Aeschin. i § 39, οἱ λ' τύραννοι... ἐλυμήναντο τοὺς Δράκοντος καὶ Σόλωνος νόμους.

θεσμῶν] c. 12 § 4 l. 45, in the Iambic lines from Solon.

διαμφισβητήσεις] In c. 9 § 2 it has been remarked that the right of appeal to a lawcourt was one of the strongest points in the democracy as constituted by Solon. In the same passage the ambiguities in the law of property and the law of 'heir-esses' are described as giving additional power to the lawcourts. Some of these ambiguities are removed by the Thirty and the power of the lawcourts (and the commons) *pro tanto* diminished.

ἀναμφισβήτητον] an epithet of κρίσις in *Pol.* iii 13, 1283 b 4, and coupled with φανερόν in 1332 b 20 and *Categ.* 5, 3 b 4. The adverb is found in *Categ.* 8, 11 a 2.

- ol. 16.] οἷο[ν] <τὸν> || περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ᾧ ἂν ἐθέλῃ κύριον ποιήσαντες καθάπαξ, τὰς δὲ προσοῦσας δυσκολίας 'ἐὰν μὴ μανίων ἢ γήρως <ἐνεκα> ἢ γυναικὶ πιθόμενος' ἀφείλουν, ὅπως μὴ ἢ τοῖς συκοφάνταις ἔφοδος· ὁμοίως δὲ τοῦτ' ἔδρων καὶ ἐπὶ τῶν ἄλλων.
- 3 κατ' ἀρχὰς μὲν οὖν ταῦτ' ἐποίουν καὶ τοὺς συκοφάντας καὶ τοὺς τῷ δῆμῳ πρὸς χάριν ὁμιλοῦντας παρὰ τὸ βέλτιστον καὶ κακοπραγμονας ὄντας καὶ πονηροὺς ἀνῆρουν, ἐφ' οἷς ἔχαιρεν ἡ πόλις 20
- 4 γιγνομένοις, ἡγούμενοι τοῦ βελτίστου χάριν ποιεῖν αὐτούς. ἐπεὶ δὲ τὴν πόλιν ἐγκρατέστερον ἔσχον, οὐδενὸς ἀπείχοντο τῶν πολιτῶν, ἀλλ' ἀπέκτεινον τοὺς καὶ ταῖς οὐσίαις καὶ τῷ γένει καὶ τοῖς

14 οἷον <τὸν> K-W. ἂν <τις> H-L. ΠΟΙΗΣΑΝΤΕΣ: ἐποίησαν 'emendatio incerta, nec praestat ποιήσαντες καθάπαξ, τὰς προσοῦσας δυσκολίας' K-W. 15 ΜΑΝΙΩΝΗΓΗΡΩΝ, μανίων ἢ γηρῶν K, K-W: μανίων ἢ γήρως <ἐνεκα> Blass et Wyse, coll. [Dem.] 46 § 14; μανίων ἢ γήρως <ἢ φαρμάκων ἢ νόσου ἐνεκεν παρανοῶν> Poland; eadem (nisi quod ἐνεκα malunt et παρανοῶν non accipiunt) H-L. 16 ΠΙΘΟΜΕΝΟΣ (edd.): πειθόμενος Wyse et Poland coll. [Dem.] l.c. 'sed praestat aoristus (= πεισθῆς)' H-L. 19 καὶ secl. K-W. 20 ΕΧΑΙΡΟΝ propter participium ἡγούμενοι retineri posse putat K, retinent H-L, B: ἔχαιρεν Sidgwick, Rutherford (K-W, H-L). 21 ΓΙΓΝ (edd.). 23 ΑΠΕΚΤΕΙΝΑΝ (K): ἀπέκτεινον Blass, Kontos, H-L, K-W.

περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ᾧ ἂν ἐθέλῃ] Plut. Sol. 21, εὐδοκίμησε δὲ κἀν τῷ περὶ διαθηκῶν νόμῳ πρότερον γὰρ οὐκ ἔξην, ἀλλ' ἐν τῷ γένει τοῦ τεθνηκότος ἔδει τὰ χρήματα καὶ τὸν οἶκον καταμενεῖν, ὃ δ' ᾧ βούλεται τις ἐπιτρέψας, εἰ μὴ παῖδες ὧσι γνήσιοι, δοῦναι τὰ αὐτοῦ κτλ. οὐ μὴν ἀνέδην γε πάλιν οὐδ' ἀπλῶς τὰς δόσεις ἐφῆκεν, ἀλλ' εἰ μὴ νόσον ἐνεκεν ἢ φαρμάκων ἢ δεσμῶν ἢ ἀνάγκῃ κατασχεθεῖς ἢ γυναικὶ πιθόμενος. See note on Dem. *Lept.* § 102.

καθάπαξ] 'absolutely.' Under Solon's law it was only in the event of a man's having no legitimate children that he could make a will at all. Possibly the Thirty made the right absolute.

τὰς προσοῦσας δυσκολίας] either 'the inconvenient limitations attaching thereto' or 'the additional inconvenient limitations'; probably the former.

ἐὰν μὴ μανίων—πιθόμενος] [Dem.] 46 § 14, ἐὰν μὴ μανίων ἢ γήρως ἢ φαρμάκων ἢ νόσου ἐνεκα, ἢ γυναικὶ πειθόμενος, and § 16, νοσοῦντα ἢ φαρμακῶντα ἢ γυναικὶ πειθόμενον ἢ ὑπὸ γήρως ἢ ὑπὸ μανίων ἢ ὑπὸ ἀνάγκης τινος καταληφθέντα. 48 § 56, ἀκυρά γε ταῦτα πάντα ἐνομοθέτησεν εἶναι ὁ Σόλων, ὃ τι ἂν τις γυναικὶ πειθόμενος πράττῃ. Lys. frag. 74, τῆς διαθέσεως... ἣν ἐκεῖνος διέθετο οὐ παρανοῶν οὐδὲ γυναικὶ πεισθείς. Isaeus 6 § 9, ἐὰν μὴ ἀρα μανεῖς ἢ ὑπὸ γήρως κτλ.

§ 3. τοὺς συκοφάντας κτλ.] Xen. *Hell.*

ii 3, 12, πρῶτον μὲν οὖς πάντες ἤδεσαν ἐν τῇ δημοκρατίᾳ ἀπὸ συκοφαντίας ζῶντας καὶ τοῖς καλοῖς κάγαθοῖς βαρεῖς ὄντας συλλαμβάνοντες ὑπῆγον θανάτου· καὶ ἢ τε βουλὴ ἡδῶς αὐτῶν κατεψήφιστο, οἱ τε ἄλλοι, ὅσοι ξυνήδεσαν ἑαυτοῖς μὴ ὄντες τοιοῦτοι, οὐδὲν ἤχθοντο. Lysias 13 § 5, (οἱ τριάκοντα) φάσκοντες χρῆναι τῶν ἀδίκων καθαρὰν ποιῆσαι τὴν πόλιν. Plato, then a young man of 24, and a nephew of Critias, was at first misled by these splendid professions, *Epist.* 324 BC (Grote, v 562).

πρὸς χάριν] (λέγειν τινι) Xen. *Mem.* iv 4, 4: *Hell.* vi 3, 7; *Rhet.* i 1, 1354 b 34, ἀκροῦσθαι πρὸς χάριν. *Pol.* iii 16, 1287 a 38, πολλὰ πρὸς ἐπήρειαν καὶ χάριν πράττειν. *Eth.* 10, 2, 1173 b 33, (ὁ φίλος) πρὸς τάγαθον ὁμιλεῖν δοκεῖ, (ὁ κόλαξ) πρὸς ἡδονήν.

Theramenes protested against putting people to death simply because they had enjoyed influence under the democracy: 'Even you and I (he reminded Critias) have both said and done many things for the sake of popularity' Xen. *Hell.* ii 3 § 15 (Grote, v 565).

§ 4. οὐδενὸς ἀπείχοντο κτλ.] Xen. *Hell.* ii 3 § 14, οὓς ἐβόλουντο ξυνελάμβανον, οὐκέτι τοὺς πονηροὺς τε καὶ ὀλίγους ἀξίους.

ἀπέκτεινον κτλ.] *ib.* § 15 (ὁ Κριτίας) προπετής ἦν ἐπὶ τὸ πολλοὺς ἀποκτείνειν, and § 17, ἀποθνησκόντων πολλῶν καὶ ἀδίκως. Among those who were put to death were Strombichides and other officers who were attached to the demo-

ἀξιώμασιν προέχοντας, ὑπεξαιρούμενοί τε τὸν φόβον καὶ βουλό-
25 μνοι τὰς οὐσίας διαρπάξουσιν· καὶ χρόνου διαπεσόντος βραχέος, οὐκ
ἐλάττους ἀνηρήκεσαν ἢ χιλίους πεντακοσίους.

36. οὕτως δὲ τῆς πόλεως ὑποφερομένης, Θηραμένης ἀγανακτῶν
ἐπὶ τοῖς γιγνομένοις τῆς μὲν ἀσελγείας αὐτοῖς παρῆναι παύσασθαι,
μεταδοῦναι δὲ τῶν πραγμάτων τοῖς βελτίστοις. οἱ δὲ πρῶτον
ἐναντιωθέντες, ἐπεὶ διεσπάρησαν οἱ λόγοι πρὸς τὸ πλήθος καὶ
5 πρὸς τὸν Θηραμένην οἰκείως εἶχον οἱ πολλοί, φοβηθέντες μὴ
προστάτης γενόμενος τοῦ δήμου καταλύσῃ τὴν δυναστείαν κατα-
λέγουσιν τῶν πολιτῶν τρισχιλίους ὡς μεταδώσοντες τῆς πολιτείας.
Θηραμένης δὲ πάλιν ἐπιτιμᾷ καὶ τούτοις, πρῶτον μὲν ὅτι, βουλό- 2
10 ἐν τούτῳ τῷ πλήθει τῆς ἀρετῆς ὠρισμένης, ἐπειθ' ὅτι δύο τὰ ἐναν-
τιώτατα ποιοῦσιν, βίαιόν τε τὴν ἀρχὴν καὶ τῶν ἀρχομένων ἥττω
κατασκευάζοντες. οἱ δὲ τούτων μὲν ὠλιγόρησαν, τὸν δὲ κατάλογον

24 ἀξιώμασι H-L. 25 ΔΙΑΠΕΣΟΝΤΟΣ (edd.)?: διαλιπόντος J B Mayor, διελ-
θόντος Herwerden.

XXXVI 1 οὕτω H-L. 2 ΓΙΝ (K-W). 3 ΠΡΩΤΟΙ corr. K. 6 κατα-
κά
λέγουσι H-L. 7 ΔΙΣΧΙΛΙΟΥΣ corr. K. 9 μεταδιδόασιν H-L. 12 ΜΕΤΑ-
ΚΕΥΑΖΟΝΤΕΣ.

XXXV 26 Heraclidis epitoma, Frag. 611, 6³ (locus infra exscriptus).

cracy (Lysias 13 § 13; 30 § 14); Lycurgus who belonged to one of the most eminent sacred *gentes* in the State ([Plut.] *Vit. Orat.* p. 838); a wealthy man named Antiphon; Leon of Salamis (Plat. *Apol.* p. 32); and even Niceratus the son, and Eucrates the brother, of Nicias, Xen. *Hell.* ii 3, 39—41; Lysias 18 §§ 5—8 (Grote v 566).

ὑπεξαιρούμενοι—φόβον] ‘cunningly removing (making away with) all whom they had reason to fear.’ Plat. *Rep.* 567 B, and in pass. Thuc. viii 70 (of the Four Hundred) ἀνδρας...ἀπέκτειναν οὐ πολλοὺς οἱ ἐδόκουν ἐπιτήδειοι εἶναι ὑπεξαιρεθῆναι. Either τὸν φόβον, as suggested by Mr W. L. Newman (*Class. Rev.* v 164 b), is the ‘object of their fear’ (a somewhat poetic usage), or we must render the passage ‘getting quit of their own apprehension.’

χιλίους πεντακοσίους] Heraclides 9, καὶ ἀνείλον οὐκ ἐλάσσους χιλίων φ’. Isocr. *Areop.* 67 (of the Thirty), οἱ μὲν γὰρ ψηφίσματι παραλαβόντες τὴν πόλιν πεντακοσίους μὲν καὶ χιλίους τῶν πολιτῶν ἀκρίτους ἀπέκτειναν, *Paneg.* 131. Aeschin. *Ctes.* § 235. Cf. Grote v 577 n. The Schol.

on Aeschin. i § 39 quotes Lysias for the number 2500.

XXXVI § 1. ὑποφερομένης] c. 25 § 1. Θηραμένης κτλ.] Xen. *Hell.* ii 3 §§ 15—17.

διεσπάρησαν] δ. λόγον, Xen. *Hell.* v i § 25.

φοβηθέντες—πολιτείας] Xen. *Hell.* ii 3 § 18, ἐκ τούτου μέντοι Κριτίας καὶ οἱ ἄλλοι τῶν τριάκοντα, ἥδη φοβοῦμενοι καὶ οὐχ ἤκιστα τὸν Θηραμένην, μὴ συρρυσήσων πρὸς αὐτὸν οἱ πολῖται, καταλέγουσι τρισχιλίους τοὺς μετέξοντας δὴ τῶν πραγμάτων.

προστάτης τοῦ δήμου] c. 2 l. 9; c. 28 § 2. § 2. Θ. πάλιν ἐπιτιμᾷ] Xen. *Hell.* ii 3 § 19, ὁ δ’ αὖ Θ. καὶ πρὸς ταῦτα ἔλεγεν, ὅτι ἀποτον δοκοίη ἑαυτῷ γε εἶναι τὸ πρῶτον μὲν βουλομένους τοὺς βελτίστους τῶν πολιτῶν κοινωνοὺς ποιήσασθαι τρισχιλίους, ὥσπερ τὸν ἀριθμὸν τοῦτον ἔχοντά τινα ἀνάγκην καλοῦς καγαθοῦς εἶναι, καὶ οὐτ’ ἐξω τούτων σπουδαίους οὐτ’ ἐντὸς τούτων πονηροὺς οἶδν τε εἶη γενέσθαι. ἔπειτα δ’, ἐφη, ὁρῶ ἔγωγε δύο ἡμᾶς τὰ ἐναντιώτατα πράττοντας, βιαίαν τε τὴν ἀρχὴν καὶ ἥττω τῶν ἀρχομένων κατασκευαζομένων.

τὸν δὲ κατάλογον κτλ.] The narrative in Xenophon (*Hell.* ii 3 § 20) pro-

τῶν τρισχιλίων πολὺν μὲν χρόνον ὑπερεβάλλοντο καὶ παρ' αὐτοῖς ἐφύλαττον τοὺς ἐγνωσμένους, ὅτε δὲ καὶ δόξειεν αὐτοῖς ἐκφέρειν τοὺς μὲν ἐξήλειφον τῶν <ἐγ>γεγραμμένων, τοὺς δ' ἀντενέγραφον ¹⁵ τὼν ἔξωθεν.

37. ἤδη δὲ τοῦ χειμῶνος ἐνεστῶτος, καταλαβόντος Θρασυβούλου μετὰ τῶν φυγάδων Φυλὴν, καὶ κατὰ τὴν στρατιὰν ἦν ἐξήγαγον οἱ τριάκοντα κακῶς ἀποχωρήσαντες, ἔγνωσαν τῶν μὲν ἄλλων τὰ ὅπλα παρελῆσθαι, Θηραμένην δὲ διαφθεῖραι τόνδε <τόν> τρόπον. νόμους εἰσήνεγκαν εἰς τὴν βουλὴν δύο κελεύοντες || ⁵ Col. 17.] ἐπιχειροτονεῖν, ὧν ὁ μὲν εἰς αὐτοκράτορας ἐποίει τοὺς τριάκοντα

13 ὑπερβαλλ. 14 συμφέρειν van Leeuwen.
<ἐγ> γεγραμμένων Herwerden (H-L, K-W, B).

15 ΓΕΓΡΑΜΜΕΝΩΝ (K):

XXXVII 2 καὶ secl. K-W.

ΣΤΡΑΤΙΑΝ K, H-L, B: ΣΤΡΑΤΕΙΑΝ K-W.

3 οἱ

τριάκοντα del. Richards (H-L), ante ἔγνωσαν ponit J B Mayor.
corr. K. 5 <τόν> K-W, H-L, K³, B, coll. c. 7, 8.

4 ΠΑΡΙΕΣΘΑΙ

ceeds immediately with an account of the review of the 3000 in the *agora* and of the rest (τῶν ἔξω τοῦ καταλόγου) elsewhere. The κατάλογος is the list of the 3000 referred to by Theramenes in Xen. *Hell.* ii 3 § 52, ἱκετεύω... μὴ ἐπὶ Κριτία εἶναι ἐξαλείφειν... ὃν ἂν βούληται, ἀλλ' ὄνπερ νόμον οὗτοι ἔγραψαν περὶ τῶν ἐν τῷ καταλόγῳ, κατὰ τοῦτον... τὴν κρίσιν εἶναι, *ib.* 4 § 28.

ἀντενέγραφον] The word is used by Dem., but only in the pass.

XXXVII § 1. τοῦ χειμῶνος ἐνεστῶτος] the winter of B.C. 404/3.

καταλαβόντος — Φυλὴν] Xenophon (*Hell.* ii 3, 23—56) completes the story of the opposition of Theramenes to the proceedings of the Thirty, and his consequent death, before relating the capture of Phyle by Thrasybulus. In ii 4, 1, after the death of Theramenes, the opponents of the Thirty were compelled to withdraw, and many of them went to Megara and Thebes. Thereupon (ἐκ τούτου § 2) Thrasybulus ὁρμηθεὶς ἐκ Θηβῶν ὡς σὺν ἐβδομήκοντα Φυλὴν χωρίον καταλαμβάνει ἰσχυρόν. In the text the occupation of Phyle, and the defeat of the force sent out by the Thirty against the holders of that fort, are described as the cause of the disarmament of the general body of citizens and the execution of Theramenes.

This implies that Thrasybulus held Phyle for a longer time than has generally been supposed. It was not long after the surrender of Athens, on the 16th of Munychion (end of April), that the Thirty came into power, probably early in May,

404. Cleocritus in Xen. *Hell.* ii 4, 21, speaking immediately after the battle which ensued on the occupation of Munychia, describes the rule of the Thirty as having lasted for eight months. This brings us to the end of December, 404.

It was not until the small force which originally occupied Phyle, variously stated as 30, 60, 70 or over 100 (*Grote v* 585), had increased to 1000 that Thrasybulus advanced on Athens. Mr Kenyon suggests that 'they probably remained for two or three of the winter months at Phyle.' The fact that it was during the winter that Phyle was in occupation is illustrated by the narrative of the snow-storm which thwarted the Thirty in their attempt to blockade Phyle after their first repulse (Xen. *Hell.* ii 4, 2).

τὰ ὅπλα παρελῆσθαι] Xen. *Hell.* ii 3 § 20, τὰ ὅπλα πάντων πλὴν τῶν τρισχιλίων παρείλοντο, and *ib.* § 41. *Pol.* 1311a 8 ff. νόμους εἰσήνεγκαν] *asynдетон*.

αὐτοκράτορας—τρισχιλίων] Xen. *Hell.* ii 3 § 51 (Critias *loquitur*), ἐστὶ δὲ ἐν τοῖς καινοῖς νόμοις τῶν μὲν ἐν τοῖς τρισχιλίοις ὄντων μηδὲνα ἀποθνήσκειν ἀνευ τῆς ὑμετέρας ψήφου, τῶν δ' ἔξω τοῦ καταλόγου κυρίους εἶναι τοὺς τριάκοντα θανατοῦν. ἐγὼ οὖν, ἔφη, Θηραμένην τούτον ἐξαλείφω ἐκ τοῦ καταλόγου ξυνδοκοῦν ἅπασιν ἡμῶν καὶ τούτον, ἔφη, ἡμεῖς θανατοῦμεν. This implies that there were other καινοὶ νόμοι, and the second given in the text, but unrecognised by Xenophon, would be one of them. But if it had already been passed before the meeting of the Council at which Critias denounced Theramenes,

τῶν πολιτῶν ἀποκτεῖναι τοὺς μὴ τοῦ καταλόγου μετέχοντας τῶν
 τρισχιλίων, ὁ δ' ἕτερος ἐκώλυε κοινωνεῖν τῆς παρούσης πολιτείας
 ὅσοι τυγχάνουσιν τὸ ἐν Ἡετιωνείᾳ τεῖχος κατασκάψαντες, ἢ τοῖς
 10 τετρακοσίοις ἐναντίον τι πράξαντες [ἢ] τοῖς κατασκευάσασιν τὴν
 προτέραν ὀλιγαρχίαν· ὧ[ν] ἐτύγχανεν ἀμφοτέρων κεκοινωνηκῶς ὁ
 Θηραμένης, ὥστε συνέβαινε ἐπικυρωθέντων τῶν νόμων ἔξω τε
 γίνεσθαι τῆς πολιτείας αὐτὸν καὶ τοὺς τριάκοντα κυρίους εἶναι
 θανατοῦντας. ἀναιρεθέντος δὲ Θηραμένου τὰ τε ὅπλα παρείλοντο 2
 15 πάντων πλὴν τῶν τρισχιλίων, καὶ ἐν τοῖς ἄλλοις πολὺ πρὸς
 ὀμότητα καὶ πονηρίαν ἐπέδοσαν.— πρέσβεις πέμψαντες εἰς

7 τῶν τρισχιλίων delere vult B.

9 τυγχάνουσι H-L.

10 ἢ secl. K-W, H-L.

14 ΘΑΝΑΤΟΥΝΤΑΣ (K, K-W) defendit Kontos coll. Thuc. v 34, Plat. Leg. 878 E, Polyb. iii 85, 2 etc.: θανατοῦν Lacon, Keil, (+ αὐτὸν Poland), coll. Xen. Hell. ii 13, 51.
 16 πρέσβεις <δὲ> J B Mayor, Blass, Hude (H-L, K³, B): ante πρέσβεις lacunam indicant K-W; verba πρέσβεις—ἐφρούρουσιν olim in fine capitis 36 locum habuisse censet van Leeuwen.

the latter would obviously have withdrawn from Athens. The only alternative is to suppose, with Mr Kenyon, that Critias proposed the second law on the spot and 'forced it down the throat of the council by the threat of armed force.' This is not inconsistent with striking the name of Theramenes out of the list of the 3000, the only detail recorded by Xenophon, who omits the second law as superfluous, and as therefore marring the dramatic effect of his narrative.

Cf. Isocr. 18 § 16, οὐδὲνα φανήσομαι τῶν πολιτῶν οὔτε χρήμασι ζημιώσας οὔτε περὶ τοῦ σώματος εἰς κίνδυνον καταστήσας, οὐτ' ἐκ μὲν τῶν μετεχόντων τῆς πολιτείας ἐξαλείψας εἰς δὲ τὸν μετὰ Λυσάνδρου κατάλογον ἐγγράψας.

τὸ ἐν Ἡετιωνείᾳ τεῖχος κατασκάψαντες] 'the projecting mole which contracted and commanded, on the northern side, the narrow entrance of Peiraeus,' Grote c. 62, v 403, 408, 412. See Map of Peiraeus in Curtius, *Sieben Karten*, no. 2.

Thuc. viii 90 § 1, τὸ ἐν τῇ Ἡετιωνείᾳ καλουμένην τεῖχος ἐπαιούντο. ib. 90 § 3, ἣν δὲ τοῦ τεύχους ἡ γνώμη αὐτῇ, ὡς ἔφη Θηραμένης καὶ οἱ μετ' αὐτοῦ, οὐχ ἵνα τοὺς ἐν Σάμῳ, ἣν βία ἐπιπλέωσι, μὴ δέξωνται ἐς τὸν Πειραιᾶ, ἀλλ' ἵνα τοὺς πολεμίους μάλλον, ὅταν βούλωνται, καὶ ναυσὶ καὶ πεζῷ δέξωνται. χηλὴ γάρ ἐστι τοῦ Πειραιῶς ἡ Ἡετιωνεία, καὶ παρ' αὐτὴν εὐθὺς ὁ ἔσπλους ἐστίν. ib. 92 § 10, τὸν Θηραμένην ἡρώτων εἰ δοκεῖ αὐτῷ ἐπ' ἀγαθῷ τὸ τεῖχος οἰκοδομῆσθαι, καὶ εἰ ἀμεινον εἶναι καθαιρεθέν. ὁ δὲ, εἶπερ καὶ ἐκεῖνος δοκεῖ καθαιρεῖν, καὶ αὐτῷ ἔφη ξυνοδοκεῖν. καὶ ἐντεύθεν εὐθὺς

ἀναβάντες οἱ τε ὅπλιται καὶ πολλοὶ τῶν ἐκ τοῦ Πειραιῶς ἀνθρώπων κατέσκαπτον τὸ τεῖχος. In [Dem.] *Theocr.* § 17 p. 1343, the incident is wrongly referred to the time of the Thirty.

§ 2. ὅπλα παρείλοντο] This has already been mentioned as resolved by the Thirty, in § 1. Xenophon places the actual disarmament before the execution of Theramenes, *Hell.* ii 3, 20.

πολὺ πρὸς ὀμότητα—ἐπέδοσαν] Xen. *Hell.* ii 3, 21, πολλοὺς μὲν ἔχθρας ἐνεκα ἀπέκτεινον, πολλοὺς δὲ χρημάτων. It was after the disarmament, and before the death of Theramenes, that, according to Xenophon, ten of the μέτοικοι became the victims of the Thirty. Among these was Polemarchus, the brother of Lysias (*Lys.* 12 § 17).—*Categ.* 10, 13 a 24 ἐπιδοίη ἂν εἰς τὸ βέλτιον εἶναι, *Eth.* 10, 5, 1175 a 35, ἐπιδιδόασιν εἰς τὸ οἰκεῖον ἔργον. *Magn. Mor.* i 9, 1186 b 29, πρὸς ἃ μᾶλλον ἐπιδίδομεν. Isocr. 33 B, ἐ. πρὸς εὐδαιμονίαν.

πρέσβεις πέμψαντες] This asyndeton is not justifiable on the same grounds as νόμους εἰσήνεγκαν in the second sentence of this chapter; and betrays some serious disturbance of the text. 'There is no connexion whatever between the first of these sentences and those that go before them, and the coming of Callibius preceded the final measures taken against Theramenes' (*Edinburgh Review*, 1891 p. 478). Besides, it is too late to accuse Theramenes when he is already executed. There is thus every reason for believing (with van Leeuwen) that this paragraph ought to be transferred to

Λακεδαίμονα τοῦ τε Θηραμένους κατηγοροῦν καὶ βοηθεῖν αὐτοῖς ἡξίου· ὧν ἀκούσαντες οἱ Λακεδαιμόνιοι Καλλίβιον ἀπέστειλαν ἄρμωσθην καὶ στρατιώτας ὥς ἑπτακοσίους, οἱ τὴν ἀκρόπολιν ἐλθόντες ἐφρούρου. 20

38. μετὰ δὲ ταῦτα καταλαβόντων τῶν ἀπὸ Φυλῆς τὴν Μουνιχίαν, καὶ νικησάντων μάχῃ τοὺς μετὰ τῶν τριάκοντα βοηθήσαντας, ἐπαναχωρήσαντες μετὰ τὸ[ν] κίνδυνον οἱ ἐκ τοῦ ἄστεως καὶ συναθροισθέντες εἰς τὴν ἀγοράν, τῇ ὑστεραίᾳ τοὺς μὲν τριάκοντα κατέλυσαν, αἰροῦνται δὲ δέκα τῶν πολιτῶν αὐτοκράτορας ἐπὶ τὴν 5 [τοῦ πο]λέμου κατάλυσιν. οἱ δὲ παραλαβόντες τὴν ἀρχὴν ἐφ' οἷς μὲν ἡρέθησαν οὐκ ἔπραττον, *ἐπέ[στελλον] δ' εἰς Λακεδαίμονα 2 βοήθειαν μεταπε[μπόμ]ενοι καὶ χρήματα δανειζόμενοι. χαλεπῶς δὲ [φε]ρόντων ἐπὶ τούτοις τῶν ἐν τῇ πολιτείᾳ, φο[βούμεν]οι μὴ καταλυθῶσιν τῆς ἀρχῆς καὶ βουλόμενοι κατ[απληξ]ῆσαι τοὺς ἄλλους 10 (ὅπερ ἐγένετο), συλλαβόντες [Δ]ημάρετον οὐδενὸς ὄντα δεύτερον τῶν πολιτῶν ἀπέκτειναν, καὶ τὰ πράγματα βεβαίως εἶχον, συνα-

17 ΔΥΤΟΙΣ (K, H-L): αὐτοῖς K-W, εἰντοῖς B.

XXXVIII 2 et 16 ΜΟΥΝΥΧΙΑΝ. Cf. c. 19, 5. 4 CΥΝΑΘΡΟΙCΘ? 6 ΕΝΟΙC corr. K. 7 ἐ[πρέσβευ]σ[αν] K (K-W): ἐπε[μψαν] H-L, B; spatium litteras aliquanto plures quam ἐπεμψαν, paullo pauciores quam ἐπρέσβεναν, postulare videtur; scripsi ἐπστέλλον, coll. Thuc. viii 38 ἐπιστέλλει—ἐς τὴν Λακεδαίμονα.

10 καταλυθῶσι H-L. 11 Δημάρετον Blass (K-W, H-L, K³); post hoc nomen ἀρετῇ fortasse recte inserit Richards. 12 συναγωνιζομένων papyrus habere putabant H-L.

TESTIMONIA. XXXVIII 5 Bekk. An. 235—6 (cf. Testim. ad xxxv 5—6).

some such place as the end of c. 36. Xenophon's narrative (*Hell.* ii 3 §§ 13, 14), as noticed by Mr Kenyon, is supported by Diodorus xiv 4, and is in itself more probable than that in the text:—'It would hardly have been possible for the Thirty to have carried on their Reign of Terror without an armed force at their backs, whereas Aristotle represents it as having occurred while the whole body of Athenians was still in possession of weapons.' Part of this objection is removed by transferring the passage to the end of c. 36, but we still have the protests of Tharmenes placed after, instead of before, the arrival of the Spartan garrison.

Καλλίβιον Xen. *l.c.* and Plut. *Lysand.* 15 *ad fin.* In neither of these passages is the number of the garrison mentioned. XXXVIII—XL. *The Rule of the Ten.*

The end of the oligarchical revolution and the restoration of the democracy.

XXXVIII § 1. καταλαβόντων—Μουνιχίαν κτλ.] Xen. *Hell.* ii 4, 11—19. Andoc. *De Myst.* 80.

ἐπαναχωρήσαντες κτλ.] Xen. *l.c.* § 22, τοὺς μεθ' ἑαυτῶν ἀπήγαγον εἰς τὸ ἄστυ.

τοὺς τριάκοντα κατέλυσαν κτλ.] *ib.* 23, ἐψηφίσαντο ἐκείνους μὲν καταπαῦσαι, ἄλλους δὲ ἐλέσθαι. καὶ εἶλοντο δέκα, ἕνα ἀπὸ φυλῆς.

The appointment of the Ten is described by Lysias, *c. Eratosth.* 12 § 54, ἀρχοντας δὲ τοὺς ἐκείνους ἐχθίστους εἶλοντο. Among them were Pheidon, formerly one of the Thirty, with Hippocles and Epichares and others who were regarded as opposed to the extreme party of Charicles and Critias (§ 55). λαβόντες...τὰς ἀρχὰς καὶ τὴν πόλιν ἀμφοτέροις ἐπολέμουν, τοῖς τε τριάκοντα πάντα κακὰ εἰργασμένοις καὶ ἡμῖν πάντα κακὰ πεπονθόσι (§ 57). ἐπέστελλον κτλ.] (Pheidon) ἐλθὼν εἰς Λακεδαίμονα ἐπειθεν αὐτοὺς στρατεῦσθαι...οὐ δυνάμενος δὲ τούτων τυχεῖν...ἐκατὸν τάλαντα ἐδανείσατο, ἵνα ἔχοι ἐπικούρους μισθοῦσθαι (§ 58—59). They were appointed soon after the time when περὶ [τῶν] διαλλαγῶν οἱ λόγοι ἐγένοντο (§ 53), but their policy tended οὐ διαλλάξαι ἀλλ' ἀπολέσαι...τὴν πόλιν (§ 60). The 100 talents are also mentioned by Xen. *Hell.* ii 4, 28. Suidas and Harp. *s.v.* δέκα.

γωνιζόμενου Καλλιβίου τε καὶ τῶν Πελοποννησίων τῶν παρόντων
καὶ πρὸς τοῦ[τοις] ἐνίαν τῶν ἐν τοῖς ἱππεύσι· τούτων γάρ τινες
15 μάλιστα τῶν πολιτῶν ἐσπούδαζον μὴ κατελθεῖν τοὺς ἀπὸ Φυλῆς.
ὥς δ' οἱ τὸν Πειραιέα καὶ τὴν Μουνιχίαν ἔχοντες, ἀποστάντος 3
ἄπαντος τοῦ δήμου πρὸς αὐτούς, ἐπεκράτουν τῷ πολέμῳ, τότε
καταλύσαντες τοὺς δέκα τοὺς πρώτους αἰρεθέντας, ἄλλους εἵλοντο
δέκα τοὺς βελτίστους εἶναι δοκοῦντας, ἐφ' ὧν συνέβη καὶ τὰς
20 διαλύσεις || γενέσθαι καὶ κατελθεῖν τὸν δῆμον, συναγωνιζομένων καὶ [Col. 18:]
προθυμουμένων τούτων. προειστήκεσαν δ' αὐτῶν μάλιστα Ῥίνων τε
ὁ Παιανιεύς καὶ Φάῦλλος ὁ Ἀχερδούσιος· οὗτοι γὰρ πρὶν <τε> [[ῆ]]
Πανσανίαν [[τ']] ἀφικέσθαι διεπέμ[ποντ]ο πρὸς τοὺς ἐν Πειραιεῖ, καὶ
ἀφικομένον συνεσπούδασαν τὴν κάθοδον. ἐπὶ πέρας γὰρ ἤγαγε 4
25 τὴν εἰρήνην καὶ τὰς διαλύσεις Πανσανίας ὁ τῶν Λακεδαιμονίων
βασιλεὺς μετὰ τῶν δέκα διαλλακτῶν τῶν ὕστερον ἀφικομένων ἐκ

ε ε

16 ΠΙΡΑΙΑ: Πειραιέα K, K-W, B; Πειραιᾶ H-L: in titulis Atticis Πειραιέα saepius quam Πειραιᾶ apparet; Πειραιᾶ nondum inveni. 17 ΔΠΑΝΤΟΣ Blass (K³): ΠΑΝΤΟΣ K¹ (K-W, H-L). ΑΥΤΗΝ (K): αὐτοὺς Blass, Kontos, Hude, K-W, H-L.

22 ΑΧΕΡΔΟΥΣΙΟΣ corr. Bywater, etc. 22—23 ΠΡΙΝ Η ΠΑΥΣΑΝΙΑΝ ΤΕ ΚΤΛ (K): πρὶν ἢ Π.—διεπέμποντο <τε> K-W¹; πρὶν <τε> Π.—διεπέμποντο Richards (H-L, K-W², B).

23 ΠΙΡΑΗ: Πειραιεῖ K, H-L; Πειραιεῖ K-W, B. Πειραιεῖ tituli Attici (Meisterhans, p. 25²) duodecim in locis habent, e.g. Dittenberger 337, 9, 14, 36 (B.C. 320) ἐν vel ἐμ Πειραιεῖ. 24 ΑΦΙΚΝΟΜΕΝΟΥΣ corr. K. 25 Πανσανίας del. H-L; ὁ—βασιλεὺς del. Richards, regis nomine iam antea commemorato.

21 Heraclidis epitoma, 611, 6³, τούτων δὲ καταλυθέντων Θρασύβουλος καὶ Ῥίνων προειστήκεσαν, ὅς ἦν ἀνὴρ καλὸς καὶ ἀγαθός.

§ 2. τοῖς ἱππεύσι] Xen. *Hell.* ii 4, 24. Lysias *Mantith.* 16 § 3, οὐχ ἱππεύον... ἐπὶ τῶν τριάκοντα. After the restoration of the democracy there was evidently a prejudice against those who had been ἱππεῖς at the time of the Thirty. Mantitheus meets this prejudice by shewing that he was not of the number, and also that many who were, had subsequently become members of the βουλὴ or had been elected στρατηγοὶ καὶ ἑπαρχοὶ (*ib.* 8).

§ 3. ἄλλους εἵλοντο δέκα] These are not mentioned either by Lysias or by Xenophon.

συναγωνιζομένων] with the democratic party. τούτων probably refers to the Ten.

Ῥίνων] Isocr. *Callim.* § 7, εἰς τῶν δέκα γενόμενος, but Isocrates does not clearly distinguish this board of Ten from those who were elected immediately after the overthrow of the Thirty: § 5, ἤρχον μὲν γὰρ οἱ δέκα οἱ μετὰ τοὺς τριάκοντα καταστάντες.

Φάῦλλος] otherwise unknown.

πρὶν] The removal of ἦ (proposed by Herwerden) is justified not only by its rarity in Attic Greek, but also by the fact that MSS often vary between πρὶν and πρὶν ἢ (Wyse).

§ 4. ἐπὶ πέρας—ἤγαγε] The phrase πέρας ἔχειν=περαίνεισθαι is found in Isocr. 42 B, Lycurg. 155, 34 (§ 60) and elsewhere; and Polybius uses πέρας λαμβάνειν (v 31, 2) and π. ἐπιθεῖναι τι (i 41, 2). Ar. *Metgor.* 1, 14, 353 a 18, τὸ ἔργον αὐτῶν ἔχει πέρας, ὁ δὲ χρόνος οὐκ ἔχει. πέρας is a frequent word in Ar., but ἐπὶ πέρας ἄγειν is not recorded in the *Index Ar.*, though ἄγειν ἐπὶ... occurs in *Pol.* 1313 a 19; 1270 a 6. Πανσανίας] Xen. *Hell.* ii 4, 29—39.

τῶν δέκα διαλλακτῶν κτλ.] *l.c.* § 38, ἐξεπέμφαν πεντεκαίδεκα ἀνδρας εἰς τὰς Ἀθήνας καὶ ἐπέταξαν ξὺν Πανσανίᾳ διαλλάξαι ὅπη δύναντο κάλλιστα. (It will be observed that Xenophon mentions 15, not 10, and as the number is exceptional it is more likely to be right than not.) οἱ δὲ διήλλαξαν ἐφ' ὅτῃ εἰρήνην μὲν ἔχειν ὥς πρὸς ἀλλήλους, ἀπίενα δὲ ἐπὶ τὰ ἐαυτῶν

Λακεδαιμόνος, οὓς αὐτὸς ἐσπούδασεν ἐλθεῖν. οἱ δὲ πε[ρὶ] τὸν Ῥίνωνα διὰ τε τὴν εὐνοίαν τὴν εἰς τὸν δ[ῆμον] ἐπηνέθησαν, καὶ λαβόντες τὴν ἐπιμέλειαν ἐν ὀλιγαρχίᾳ τὰς εὐθύνας ἔδοσαν [ἐ]ν δημοκρατίᾳ, καὶ οὐδεὶς οὐδὲν ἐνεκάλεσε[ν αὐ]τοῖς οὔτε τῶν ἐν ἄστει 30 μεινάντων οὔτε τῶν ἐκ Πειραιέως κατελθόντων, ἀλλὰ διὰ ταῦτα καὶ στρατηγὸς εὐθύς ἤρέθη Ῥίνων.

39. Ἐγένοντο δ' αἱ διαλύσεις ἐπ' Εὐκλείδου ἄρχοντος κατὰ τὰς συνθήκας τάσδε. τοὺς βουλομένους Ἀθηναίων τῶν ἐν ἄστει μεινάντων ἐξοικεῖν ἔχειν Ἐλευσίνα, ἐπιτίμους ὄντας καὶ κυρίου 2 καὶ αὐτοκράτορας [ἐ]αυ[τῶν] καὶ τὰ αὐτῶν καρπουμένους. τὸ δ' ἱερὸν εἶναι κοινὸν ἀμφοτέρων, ἐπιμελεῖσθαι δὲ Κήρυκας καὶ 5 Εὐμολπίδας κατὰ τὰ πάτρια. μὴ ἐξεῖναι δὲ μήτε τοῖς Ἐλευσίνιοθεν εἰς τὸ ἄστυ μήτε τοῖς ἐκ τοῦ ἄστεως Ἐλευσίναδε ἵεναι πλὴν μυστηρίοις ἑκατέρους. συντελεῖν δὲ ἀπὸ τῶν προσιόντων εἰς τὸ

29 post ἐπιμέλειαν . . COYC (εὐθύς ? H-L) deletum. K, K-W; Πειραιῶς H-L. [II]ε[ι]ραῶς CIA ii 834 b 1 64 (B.C. 329).

XXXIX 2 ΑΘΗΝΑΙΩΝ, supra τῶν additum, retinet K, post τῶν locat K¹, coll. c. 27, 15 τῷ βουλομένῳ Λακιδῶν et c. 29, 24 οἱ ἐθέλοντες Ἀθηναίων: delent K-W, H-L; ante τῶν ponunt Blass et K³. 4 [ἐ]αυ[τῶν] Jackson, K-W, K³, B: [ἐ]πὶ πᾶσι K¹; ἀπάντων Poland (H-L). 8 ἑκατέρους fortasse aut defendi aut excusari posse putat Jackson, sed mavult ἑκατέροις, 'mysteriis maioribus minoribusve'; idem mavult Hude.

ἑκαστον πλὴν τῶν τριάκοντα καὶ τῶν ἑνδεκα καὶ τῶν ἐν τῷ Πειραιεὶ ἀρξάντων δέκα. εἰ δέ τινες φοβοῦντο τῶν ἐξ ἄστεως, ἔδοξεν αὐτοῖς (αὐτοῦς Hartman) Ἐλευσίνα κατοικεῖν.

XXXIX § 1. ἐπ' Εὐκλείδου) B.C. 403/2. The διαλύσεις took place near the end of the summer of 403. Xen. *l.c.* § 25 speaks of the party of the Peiraeus as foraging for ξύλα καὶ ὀπώραν, and Plut. *Mor.* p. 349 f (*de gloria Ath.*) gives the 12th of Boedromion (September) as the date of the return of the exiles.

ἐξοικεῖν ἔχειν] If we retain Ἐλευσίνα, we should probably have to render the passage: 'should have Eleusis to migrate to.' The words are generally understood to mean: 'should have it in their power to migrate to Eleusis.' This would require Ἐλευσίναδε. Cf. Dem. 29 § 3, Μέγαρόδ' ἐξέκηκε, and Lys. 31 § 19, of an incident of the same date as the present, (Philon) συσκευασάμενος γὰρ τὰ ἐαυτοῦ ἐνθάδε εἰς τὴν ὑπερορίαν ἐξέκηκε.

ἐπιτίμους] in full possession of their rights as citizens; cf. Xen. *Hell.* ii 2, 11 (of an earlier date, when Agis was holding Decelaea), τοὺς ἀτίμους ἐπιτίμους ποιήσαντες ἑκατέρουν. Xenophon is referring to the ψήφισμα of Patrocleides, quoted in Andoc.

de Myst. 77—79; *ib.* 73, ἐπεὶ γὰρ αἱ νῆες διεφθάρησαν καὶ ἡ πολιορκία ἐγένετο, ἐβουλεύσασθε περὶ ὁμονοίας καὶ ἔδοξεν ὑμῖν τοὺς ἀτίμους ἐπιτίμους ποιῆσαι. Then follows the *locus classicus* about ἀτιμία in which, among those who were under partial ἀτιμία, are mentioned (in § 75) the soldiers who ἐπέμειναν ἐπὶ τῶν τυράννων ἐν τῇ πόλει (τετρακοσίων may be suggested instead of τυράννων; this suggestion is anticipated by Dobree, and approved by Blass; in any case the Four Hundred are meant; and not the Thirty). κυρίους καὶ αὐτοκράτορας] 'possessing full and independent powers of self-government' (K.).

§ 2. ἱερὸν] The temple of Demeter at Eleusis. Κήρυκας καὶ Εὐμολπίδας]

c. 57 § 1. τοῖς Ἐλευσίνιοθεν] *constructio praegnans*, influenced by ἵεναι; similarly below, ἐκ τοῦ ἄστεως.

ἑκατέρους] The constr. changes from the dat. to the acc. with the inf. For a similar change of constr. after ἐξεῖναι, cf. Aeschin. 3 § 2, ἵνα ἐξῇ πρῶτον μὲν τῷ πρεσβυτάτῳ τῶν πολιτῶν... ἐπὶ τὸ βῆμα παρελθόντι τὰ βέλτιστα τῇ πόλει συμβουλεύειν, δεύτερον δ' ἡδὴ καὶ τῶν ἄλλων

συμμαχικὸν καθάπερ τοὺς ἄλλους Ἀθηναίους. ἐὰν δέ τινες τῶν 3
 10 ἀπιόντων οἰκίαν λαμβάνωσιν Ἐλευσίνι, συμπεῖθειν τὸν κεκτη-
 μένον· ἐὰν δὲ μὴ συμβαίνωσιν ἀλλήλοις, τιμητὰς ἐλέσθαι τρεῖς
 ἑκάτερον, καὶ ἦντιν' ἂν οὗτοι τάξωσιν τιμὴν λαμβάνειν. Ἐλευ-
 σινίων δὲ συνοικεῖν οὓς ἂν αὐτοὶ βούλωνται. τὴν δ' ἀπογραφὴν 4
 εἶναι τοῖς βουλομένοις ἐξοικεῖν, τοῖς μὲν ἐπιδ[ημ]οῦσιν ἀφ' ἧς ἂν
 15 ὁμόσωσιν τοὺς ὄρκους δ[έκ]α ἡμερῶν, τὴν δ' ἐξοίκησιν εἴκοσι, τοῖς
 δ' ἀποδημοῦσιν ἐπειδὰν ἐπιδημήσωσιν κατὰ ταῦτά. μὴ ἐξεῖναι δὲ 5
 ἄρχειν μηδεμίαν ἀρχὴν τῶν ἐν τῷ ἄστει τὸν Ἐλευσίνι κατοικοῦντα
 πρὶν ἂν ἀπογράψῃται πάλιν ἐν τῷ ἄστει κατοικεῖν. τὰς δὲ || δίκας [Col. 19.

12 ΕΚΑΤΕΡΩΝ (B): ἑκάτερον Bury, Richards, Hude, Papabasilus (K-W, H-L, K²). τάξωσι H-L. 13 ΟΥΓΤΟΙ (K, K-W, H-L): αὐτοὶ Richards, Herwerden, B qui etiam ol ἂν αὐτοὶ scribendum suspicatur. 15 ὁμόσωσι H-L. δ[έκ]α K-W, H-L, K², B: δι' [ἐπτ]α K¹. 16 ἀποδημοῦσι <ν> K, H-L. 18 ΑΠΟΓΡΑΨΗ | ΨΗΤΑΙ: —γράφῃται K-W, H-L, B; —γράφῃται K.

πολιτῶν τὸν βουλούμενον γνώμην ἀποφαίνεσθαι (Kühner, § 475, 2 c, Anm. 1). ἑκατέρους is possibly preferred to avoid the ambiguity arising from ἑκατέροις, which would naturally agree with μυστηρίοις and has actually been proposed in this sense.

συντελεῖν...εἰς] Dem. *Left.* 28, συντελοῦσιν εἰς τὸν πόλεμον.

τὸ συμμαχικόν] elsewhere of 'the allied forces' (Thuc. iv 77), or of a 'treaty of alliance' (iii 91, v 6): here 'the fund for the common defence.'

§ 3. συμπεῖθειν] not 'shall first obtain the assent of the owner' (Poste), but 'the people would help them to obtain the consent of the owner' (Kenyon).

συνοικεῖν] 'of the inhabitants of Eleusis, those whom the secessionists desired should live in the same community.' Thuc. ii 68, 3, ἀπὸ τῶν Ἀμπρακιωτῶν ξυνοικησάντων. In Thuc. vi 64, 3 (the Syracusan horsemen tauntingly ask the Athenians) εἰ ξυνοικῆσοντες σφίσι αὐτοῖς μάλλον ἤκειον ἐν τῇ ἀλλοτρίᾳ ἢ Λεοντίνους ἐς τὴν οἰκίαν κατοικοῦντες, *ib.* ii 68, 3. The proceedings have an arbitrary air as against the ordinary inhabitants of Eleusis, but it would appear that Eleusis was, subject to certain conditions, handed over to the secessionists.

§ 4. τὴν ἀπογραφὴν εἶναι] Those who proposed to secede were required to enter their names in a list (cf. 40 § 1). ἀπογραφή, in Attic law, is generally applied to a register of land, property, moneys, rather than of persons. Lys. 25 § 9, εἰσὶ δὲ οἵτινες τῶν Ἐλευσινιάδων ἀπογραψαμένων, ἐξελθόντες μεθ' ἑμῶν, ἐπολιορκοῦντο μετ' αὐτῶν (Westermann, Cobet;

μεθ' αὐτῶν MS; ἐπολιόρκουν τοὺς μεθ' αὐτῶν Scheibe, Frohberger).

τοὺς ὄρκους] 'the oath of pacification' (Poste). Xen. *Hell.* ii 4, 43 (of a slightly later time, after the commanding officers of the party at Eleusis had been put to death and a reconciliation effected with the remainder), ὁμόσαντες ὄρκους ἡ μὴν μὴ μνησι-κακῆσειν. δέκα ἡμερῶν, 11, 5 δέκα ἐτῶν.

§ 5. πρὶν—ἀπογράψῃται] 'until he shall again register himself in the list with a view to residence in the city.' Lys. 25 § 9 quoted above. ἀπογράφεσθαι, mid. to register oneself (e.g. as a citizen: *Pol.* vi (iv) 13, 1297 a 24, ἐνιαχοῦ δ' ἔξεστι μὲν πᾶσιν ἀπογραφάμενοις ἐκκλησιάζειν καὶ δικάζειν, ἐὰν δὲ ἀπογραφάμενοι μὴτ' ἐκκλησιάζωσι μῆτε δικάζωσιν, ἐπικεννται μεγάλαι ζημίαι τούτοις). Xen. *Hell.* ii 4 § 8, vi 5 § 29. The passive is found in Plat. *Leg.* 914 C, ἂν ἀπογεγραμμένον ἢ παρὰ τοῖς ἀρχοῦσι τὸ κτῆμα.

τὰς δὲ δίκας τοῦ φόνου.] This passage does not help us to decide the question whether the Areopagus was suspended or not by the Thirty. Lys. i § 30 (delivered after the year of Euclides) says of this tribunal, ὃ καὶ πάτριόν ἐστι καὶ ἐφ' ἡμῶν (ἡμῶν MSS) ἀποδίδοται (ἀποδέδοται the reading of an inferior MS) τοῦ φόνου τὰς δίκας δικάζειν. Grote, Rauchenstein (*Philol.* x 604 ff.) and Curtius (iv 16 note) hold that it was suspended; Schömann (*Ant.* p. 549 E. T.) that it was not. Practically, however, its authority was obviously superseded by the Reign of Terror. See also Philippi, *Areop.* p. 265, 266, and Frohberger's *Lysias* vol. ii 180.

τοῦ φόνου εἶναι κατὰ τὰ πάτρια, εἴ τις τινα αὐτόχειρ ἀπέκτεινεν,
 6 ἢ ἔτρωσεν. τῶν δὲ παρεληλυθότων μηδενὶ πρὸς μηδένα μνησικακεῖν 20
 ἐξεῖναι, πλὴν πρὸς τοὺς τριάκοντα καὶ τοὺς δέκα καὶ τοὺς ἑνδεκα
 καὶ τοὺς τοῦ Πειραιῶς ἄρξαντας, μηδὲ πρὸς τούτους, ἐὰν διδώσιν
 εὐθύνας. εὐθύνας δὲ δοῦναι τοὺς μὲν ἐν Πειραιεὶ ἄρξαντας ἐν τοῖς
 ἐν Πειραιεὶ, τοὺς δ' ἐν τῷ ἅστει ἐν τοῖς τὰ τιμήματα παρεχομένοις.
 εἴθ' οὕτως ἐξοικεῖν τοὺς ἐθέλοντας. τὰ δὲ χρήματα ἃ ἐδανείσαντο 25
 εἰς τὸν πόλεμον ἐκατέρους ἀποδοῦναι χωρὶς.

40. γενομένων δὲ τοιούτων τῶν διαλύσεων, καὶ φοβουμένων

Ε Ε
 19 ΑΥΤΟΧΗΡΑΕΚΤΙCΙ (C1 'ita ut paene N legi possit' B) ΕΗΡΩCΑCΤΩΝ ante ρω
 deletis ΕΗ (B), vel ΟΤ, i.e. ὁ τρώσας (K), vel ΟΙC (K-W), vel CH (H-L): αὐτοχειρὶ <ἀπ-
 ἔκτονεν> ἐκτίσει ἱερῶσας K¹, †αὐτόχειρα ἐκτίσει ἱερῶσας† K³; αὐτοχειρία ἔκτεινε τρώσας
 Wyse; αὐτοχειρία ἔκτεινεν ἢ ἔτρωσεν K-W, H-L; αὐτόχειρ (van Leeuwen) ἀπέκτεινεν

Ε Ε ΕΙ
 ἢ ἔτρωσεν B. 22 ΠΗΡΑΙΩC: Πειραιῶς H-L. 23 ΠΗΡΑΙΙ. 24 ΠΗΡΑΙΙ.
 Praestaret ἐν τοῖς <ἐν τῷ ἅστει K et Gertz> τιμήματα (= ἀποτιμήματα) παρεχομένοις,

Δ
 aut τὰ <αὐτὰ Gertz> τιμήματα παρεχομένοις. Cf. c. 2, 12. 25 ΤΟΥC ΕΘΕΛΟΝ-
 ΤΑC: τοὺς ἀλόντας B, qui in archetypo litteras θε deletas, et Δ (non Δ) scriptum fuisse
 putat.

TESTIMONIA. XXXIX 21—23 Bekk. An. 235—6 (cf. Testim. ad xxxv 5—6).

αὐτόχειρ ἀπέκτεινεν] Hdt. i 140 etc.
 αὐτοχειρία κτείνειν. αὐτόχειρ ἔκτεινεν would
 be a poetic form of expression, but
 αὐτόχειρ itself is used in prose, as in Dem.
 p. 321, 18; 549, 5; 552, 18. τρώσας,
 'by wounding,' gives less good sense than
 ἢ ἔτρωσεν, but might be defended by ἐάν
 τις φάρμακον δοὺς ἀποκτείνῃ et similia.
 'Unlawful wounding' comes under the
 cognisance of the courts that try cases of
 homicide, c. 57 § 3 fin. κτείνειν ἢ τρώσαι
 τινα.

§ 6. μνησικακεῖν] Xen. Hell. ii 4 ult.,
 ὁμόσαντες ὅρκους ἢ μὴν μὴ μνησικακήσειν,
 ἔτι καὶ νῦν ὁμοὶ τε πολιτεύονται καὶ τοῖς
 ὅρκοις ἐμμένει οὐ δῆμος. Aristoph. Plut.
 1146, μὴ μνησικακήσης, εἰ σὺ Φυλὴν κατέ-
 λαβες, ἀλλὰ ξύνοικον πρὸς θεῶν δέξασθῃ
 με, with Schol. Andoc. de Myst. 90, καὶ
 οὐ μνησικακήσω τῶν πολιτῶν οὐδενὶ πλὴν
 τῶν τριάκοντα καὶ τῶν ἑνδεκα, οὐδὲ τούτων
 δς ἂν ἐθέλοι εὐθύνας δίδοναι τῆς ἀρχῆς ἣς
 ἤρξεν and ib. 81, 91. Aeschin. F. L. 176,
 (Archinus and Thrasylbulus) τὸ μὴ μνησι-
 κακεῖν πρὸς ἀλλήλους ἑνορκον ἡμῶν κατα-
 στησάντων. Justin v 10 § 11. Cf. Luebert,
 De Amnestia, Kiel, 1881.

καὶ τοὺς δέκα.] Neither in Xenophon
 (Hell. ii 4, 38) nor in Andocides is this
 body of Ten described as excluded from the
 amnesty. Xenophon mentions the
 'Ten who ruled in Peiraeus' (c. 35 § 1);

Andocides does not mention even these.

ἐν τοῖς ἐν Πειραιεὶ] not 'for all matters
 coming within the limits of Peiraeus'
 (Kenyon), but 'before the courts held in
 the Peiraeus.' 'To the residents in
 Peiraeus' is Mr Poste's rendering; but
 such a rendering of an account would be
 very informal. Some lawfully constituted
 body is clearly meant.

ἐν τοῖς τὰ τιμήματα παρεχομένοις]
 'before a court consisting of those who
 can produce rateable property' i.e. who
 have property on which they pay taxes.
 This limitation excludes all paupers or
 citizens of the lowest class. παρέχεσθαι,
 is 'to have as one's own, to produce as
 one's own,' 'to bring forward' (L and S);
 τοῖς ὅπλοι παρεχομένοις occurs in c. 4, but
 I can find no instance of παρέχεσθαι being
 coupled with τιμήματα.

τιμήματα is here understood of penal-
 ties, by Poland, Kaibel and Kiessling,
 and Haussoullier (εὐθύναι came under the
 class of δίκαι τιμηταί, Att. Proc. pp. 226,
 264 Lips.). Reinach makes τίμημα syn-
 onymous with ἀποτιμήμα, 'a security,'
 comparing CIA ii 570, 21, [τιμή]ματι ἢ
 ἐγγυητῇ, and Lys. ap. Harp. s.v. τίμημα.

οὕτως] after satisfying all these legal
 requirements.

ἀποδοῦναι χωρ[is] inf. c. 40 § 4.

οἱ μετὰ τῶν τριάκοντα συνεπολέμησαν, καὶ πολλῶν ἐπινοούντων μὲν ἐξοικεῖν ἀναβαλλομένων δὲ τὴν ἀπογραφὴν εἰς τὰς ἐσχάτας ἡμέρας, ὅπερ εἰώθασιν ποιεῖν ἅπαντες, Ἀρχίνος συνιδὼν τὸ πλῆθος
5 καὶ βουλόμενος κατασχεῖν αὐτοὺς ὑφείλε τὰς ὑπολοίπους ἡμέρας τῆς ἀπογραφῆς, ὥστε συναναγκασθῆναι μένειν πολλοὺς ἄκοντας ἕως ἐθάρρησαν. καὶ δοκεῖ τοῦτό τε πολιτεύσασθαι καλῶς Ἀρχίνος, 2 καὶ μετὰ ταῦτα γραψάμενος τὸ ψήφισμα τὸ Θρασυβούλου παρα-

XL 2 ΜΕΝΕΠΠΙΝΟΟΥΝΤΩΝ (Κ, <ἐξοικεῖν> μὲν ἐπινοούντων? Κ-Υ): ἐπινοούντων μὲν Blass (H-L).

3 ΑΝΑΓΡΑΦΗΝ (Κ): ἀπογραφὴν Jackson, Wyse, Bury, Blass, Κ-Υ, H-L, Β; ἀνα-γραφὴν fortasse casu ex ἀνα-βαλλομένων ortum. 4 εἰώθασιν H-L, Β.

XL § 1. Ἀρχίνος] mentioned (with Dion) as an orator in Plat. *Menex.* 234 B, and with Cephalus in Dinarchus, I § 76. He was the proposer of a law to prevent *συκοφαντία* after the amnesty (Isocr. c. *Callim.* 18 § 2, ἂν τις δικάζεται παρὰ τοὺς ὄρκους, ἐξείναι τῷ φεύγοντι παραγράφασθαι κτλ.). It was on his motion that the Ionic alphabet was adopted in public documents from the archonship of Euclides onwards (Suidas s. v.). The action recorded in the text is not mentioned elsewhere. He is described as cooperating with Thrasybulus in the restoration of the democracy, Ἀρχίνου καὶ Θρασυβούλου προστάτων τοῦ δήμου, Aeschin. *F. L.* 176. It was Archinus who moved the decree on that occasion: c. *Ctes.* 187, ὁ τὸ ψήφισμα γράψας καὶ νικήσας Ἀρχίνος ὁ ἐκ Κόλης, εἰς τῶν καταγόντων τὸν δῆμον. On his opposition to a proposal of Thrasybulus, see below.

συνιδὼν τὸ πλῆθος] 'observing their numbers.'

τὰς ὑπολοίπους ἡμέρας] the remainder of the term of days allowed for the purposes of registration.

§ 2. γραψάμενος τὸ ψήφισμα τὸ Θρασυβούλου] This fact is well known owing to its having affected the position of Lysias, who fully deserved promotion from the position of a μέτοικος to that of a citizen for his great services towards the restoration of the democracy, and for the losses he had incurred at the hands of the Thirty, who had even put to death his brother Polemarchus (*Or.* 12).

Aeschines, c. *Ctes.* § 195, describes Archinus as having resisted the proposal to confer the distinction of a crown on some of those who had done good service in the restoration of the democracy. The scholia give us further details: Θρασύβουλος ὁ Σπειριεύς μετὰ τὸ κατελθεῖν τὸν δῆμον ἀπὸ Φυλῆς ἔγραψε ψήφισμα δοθῆναι

πολιτεῖαν Λυσίᾳ τῷ Κεφάλῳ (Κεφάλῳ MS, correxit Wyse) τῷ ῥήτορι πολλὰ εὐεργετήσαντι τοὺς εἰς (τὴν MS) Φυλὴν καταφυγόντας καὶ τοῦτο ἀπρὸςβούλευτον εἰσήνεγκεν εἰς τὸν δῆμον. οὐδέπω γὰρ ἦν καθεσταμένη βουλὴ μετὰ τὴν τῶν Λ' κατάλυσιν· τοῦτο τὸ ψήφισμα ἐγράψατο παρανόμῳ Ἀρχίνῳ ὁ ἐκ Κόλης καὶ εἰλε καὶ ἐτίμησαν τῷ Θρασυβούλῳ οἱ δικάσαι δραχμῆς μίας. Ἄλλως· ἐπίστευον τοῖς δοκοῦσιν ἀμύνειν τοῖς νόμοις. Ἀρχίνος γὰρ ὁ ἐκ Κόλης ἐγράψατο παρανόμῳ ὅτε κατῆλθεν ὁ δῆμος... Λυσίου τοῦ Συρακοσίου πεντακοσίας μὲν ἀσπίδας δόντος τοῖς μαχασαμένοις ἐν Φυλῇ, τριακοσίου δὲ (Συρακοσίου MS, correxit Blass) στρατιώτας μισθωσαμένου ἐξ Αἰγίνης, ἔγραψε ψήφισμα πολίτην αὐτὸν γενέσθαι Θρασύβουλος. παρανόμῳ δὲ αὐτὸν Ἀρχίνος ὁ ἐκ Κόλης ἐγράψατο, ὅτι οὕτως γενόμενης βουλῆς ψήφισμα ἔγραψεν καὶ <οἱ> δικάσαι κατήνεγκαν αὐτοῦ τὰς ψήφους ὀλιγώρως πρὸ τοῦ βουλὴν ὑπάρξαι (ὀλιγώρως—ὑπάρξαι placed after ἔγραψεν by Schultz). ὁ δὲ ἐν τῇ τιμῇσι παρελθὼν, θανάτου, ἔφη, τιμῶμαι ὅτι ἀχαρίστους Ἀθηναίους ὄντας εὖ ἐποίησα. οἱ δὲ δικάσαι αἰδεσθέντες τῷ μὲν ἐτίμησαν τὴν καταδίκην δραχμῆς, τὸν δὲ Λυσίαν οὐδ' οὕτως ἐποίησαντο πολίτην. Maximus Planudes, Scholia on the στάσεις of Hermogenes in Walz, *Rh. Gr.* v 343, παραπλήσιον καὶ τὸ περὶ Θρασυβούλου ἱστοροῦμενον, δὲ μετὰ τὴν τῶν τριάκοντα κατάλυσιν ἔγραψε τῷ Λυσίᾳ ψήφισμα περὶ τοῦ δεῖν αὐτὸν γενέσθαι πολίτην καὶ κατηγορηθεῖς ὡς ἀπρὸςβούλευτον ψήφισμα... εἰσενεγκόν, οὐ γὰρ ἦν πῶ καταστάσας ἡ βουλὴ, κατεδικάσθη χρημάτων· ὁ δὲ, οὐ μὰ Δία, ἔφη, ἀλλὰ θανάτου τί γὰρ τοιοῦτος ἔσωζον; Cf. [Plut.] 846 A. The proposal was made μετὰ τὴν κάθοδον ἐπ' ἀναρχίας τῆς πρὸ Εὐκλείδου (*ib.* 835 EF), i.e. between the return from exile and the restoration of the democracy. At that time the βουλὴ had not yet been constituted. See Blass *Att. Ber.* i 340¹,

νόμων, ἐν ᾧ μετεδίδου τῆς πολιτείας πᾶσι τοῖς ἐκ Πειραιέως συγ-
κατελθούσι, ὧν ἔνιοι φανερώς ἦσαν δοῦλοι, καὶ τρίτον, ἐπεὶ τις ¹⁰
ἤρξατο τῶν κατεληλυθότων μνησικακεῖν, ἀπαγαγὼν τοῦτον ἐπὶ
τὴν βουλὴν καὶ πείσας ἄκριτον ἀποκτεῖναι, λέγων ὅτι νῦν δείξουσιν
εἰ βούλονται τὴν δημοκρατίαν σῶζειν καὶ τοῖς ὄρκοις ἐμμένειν·
ἀφέντας μὲν γὰρ τοῦτον προτρέψειν καὶ τοὺς ἄλλους, ἐὰν δ'
ἀνέλωσιν παράδειγμα ποιήσιν ἅπασιν. ὅπερ καὶ συνέπεσεν· ¹⁵
3 ἀποθανόντος γὰρ οὐδεὶς πώποτε ὕστερον ἐμνησικάκησεν. ἀλλὰ
δοκοῦσιν κάλλιστα δὴ καὶ πολιτικώτατα ἀπάντων καὶ ἰδία καὶ
κοινῇ χρῆσασθαι ταῖς προγεγενημέναις συμφοραῖς· οὐ γὰρ μόνον
τὰς περὶ τῶν προτέρων αἰτίας ἐξήλειψαν ἀλλὰ καὶ τὰ χρήματα
Λακεδαιμονίοις, ἃ οἱ τριάκοντα πρὸς τὸν πόλεμον ἔλαβον, ἀπέδωσαν ²⁰
κοινῇ, κελευουσὼν τῶν συνθηκῶν ἐκατέρους ἀποδιδόναι χωρὶς, τοὺς
τ' ἐκ τοῦ ἄστεως καὶ τοὺς ἐκ τοῦ Πειραιέως, ἡγούμενοι τοῦτο
πρῶτον ἄρχειν δεῖν τῆς ὁμονομίας· ἐν δὲ ταῖς ἄλλαις πόλεσιν οὐχ
ὅτι προστιθέασιν τῶν οἰκείων οἱ δημοὶ κρατήσαντες, ἀλλὰ καὶ

ΕΩΣ

9 ΠΙΡΑΙΟΙΣ: Πειραιῶς H-L.

13 ΩΩΖΕΙΝ.

17 δοκοῦσι H-L, B.

Ε

καὶ ἰδία ante corr.

22 ΠΙΡΑΙΩΣ: Πειραιῶς H-L.

23 ΔΕΝ correctum in ΔΕΙΝ.

23—24 ΟΥΧ ΟΙΟΝ ΕΤΙ (vel ΕΠΙ): οὐχ οἷον ἐτι K, H-L, B; οὐχ οἷον ἐπιπροστιθέασιν Gen-
nadios (K-W); οὐχ ὅτι προστιθέασιν J B Mayor, ὅτι in ἐτι corruptum atque οἷον deinde
per errorem insertum arbitratus. 24 ΟΙ ΔΗΜΟΚΡΑΤ: οἱ δημοκρατήσαντες K et B cui
'est δημοκρατήσαντες ut μοναρχήσαντες': οἱ δῆμοι κρατήσαντες van Leeuwen, Hude
(H-L, K-W), quod unice verum est,—'alibi cum vicerunt populares, spoliare solent
divites, non propria etiam bona in publicum commodum absumere' (Herwerden).

349^o, and Jebb, *Att. Orators*, i 151; cf. Wyse in *Class. Rev.* v 335.

ἤρξατο—μνησικακεῖν] c. 39 § 6. The action of Archinus is the natural sequel of his law against *συκοφαντία* (Isocr. c. *Callim.* §§ 2, 3). Cf. Curtius, *H. G.* iv 59. But his method of procedure was arbitrary in the extreme. Nevertheless, the author passes no condemnation on it. ἀπαγαγὼν] of summary arrest, 29 § 4.

τοῖς ὄρκοις ἐμμένειν] Xen. *Hell.* ii 4 ult., τοῖς ὄρκοις ἐμμένει ὁ δῆμος.

§ 3. κάλλιστα δὴ] According to Eucken (*De Aristotelis dicendi ratione; de particularum usu*, p. 49), δὴ is nowhere found in the writings of Aristotle after a superlative (*Class. Rev.* v 160 a).

αἰτίας ἐξήλειψαν] Andoc. *de Myst.* 76, ἐξαλείψαι πάντα τὰ ψηφίσματα, Lys. i § 48, τοὺς κειμένους νόμους ἐξαλείψαι, ἐτέρους δὲ θεῖναι, 30 § 5, τὰ μὲν ἐγγράφεις τὰ δ' ἐξαλείφεις. Here probably metaphorical, as in Dem. *Pant.* 37 § 34, τὸ γινώσκειν καὶ συνιέναι τὰ δίκαια...ἐξαλείψαι. ἐξα-

λείψω is not found in the *Index Ar.*; ἀπαλείφω occurs in c. 47 *fin.* and 48 *init.* and προεξαλείφω in c. 47 *ult.*

τὰ χρήματα—ὁμονομίας] See note on Dem. *Lept.* p. 460, esp. § 12, τοῦτο πρῶτον ὑπάρξει τῆς ὁμονομίας σημεῖον, κοινῇ διαλῦσαι τὰ χρήματα, and Isocr. *Areop.* §§ 67, 68 there quoted.

οὐχ ὅτι] οὐχ οἷον is not found in Ar. οὐχ ὅτι...ἀλλὰ καὶ occurs in *Pol.* 1331 a 11, *Poet.* 4, 1448 b 35. οὐχ ὅτι...ἀλλὰ in *De Gen. Anim.* iv 1, 765 b 19, *De Anima* ii 7, 419 a 21, *Anal.* i 41, 49 b 22.

προστιθέασιν τῶν οἰκείων] 'pay additional sums out of their own property.'

οἱ δῆμοι κρατήσαντες] *Pol.* vi (iv) 8, 1294 a 13, ἐν ὀλιγαρχίᾳ καὶ ἐν ἀριστοκρατίᾳ καὶ ἐν δῆμοις. viii (v) 10, 1310 b 21, οἱ δῆμοι (opp. τοῖς ὀλιγαρχίαι). iii 11, 1282 a 28, ἄς (εὐθύνas καὶ ἀρχάς) ἐν ἑνίαις πολιτείαις...τοῖς δῆμοις ἀποδιδῶσιν. vii (vi) 4, 1320 a 4, οἱ δὲ νῦν δημαγωγοὶ χαρίζομενοι τοῖς δῆμοις πολλὰ δημεύουσι διὰ τῶν δικαστηρίων. 7, 1321 a 19, ταύτῃ δὲ ἐπικρα-

25 τὴν || χώραν ἀνάδαστον ποιοῦσιν. διελύθησαν δὲ καὶ πρὸς τοὺς 4 [Col. 20
[[ἐν]] Ἑλευσίνι [κατοί]κῃσαντας ἔτει τρίτῳ μετὰ τὴν ἐξοίκῃσιν, ἐπὶ
[Ξεναί]νέτου ἄρχοντος.

41. ταῦτα μὲν οὖν ἐν τοῖς ὕστε[ρο]ν συνέβη γενέσθαι καιροῖς,
τότε δὲ κύριος ὁ δῆμος γενόμενος τῶν πραγμάτων, ἐνεστήσατο τὴν
[νῦν] οὖσαν πολιτείαν, ἐπὶ Πυθοδώρου μὲν ἄρχοντος, [δ]οκοῦντος
δὲ δικαίως τοῦ δήμου λαβεῖν τὴν [ἐξουσί]αν, διὰ τὸ ποιήσασθαι τὴν
5 κάθοδον δι' αὐτοῦ τὸν δῆμον. ἦν δὲ τῶν μεταβολῶν ἐνδεκάτῃ τῷ[ν 2
ἀρι]θμὸν αὕτη. πρώτη μὲν γὰρ ἐγένετο [κ]ατάστασις τῶν ἐξ

26 EN supra scriptum melius abesset (κ, coll. Cobet, *Var. Lect.*, pp. 30, 201);
retinent κ-W, B, delent H-L. Cf. Meisterhans, p. 169². [ἐξοί]κῃσαντας κ, κ-W,
H-L: [μετοί]κῃσαντας propter hiatus conicit J W Headlam; [κατοί]κῃσαντας B, qui
ἐξοικ. 'et propter hiatus et propter spatium vestigiaque' condemnat.

XLII 3 Πυθοδώρου: Εὐκλείδου exspectaret B coll. c. 39, 1. Post ἄρχοντος lacunam
indignant κ-W, 'hiat sententia; damnatae Pythodori memoriae facta erat mentio.'
4-5 δῆμον—δῆμον: an Θρασυβούλου—δι' αὐτὸν τὸν δῆμον? κ. [ἐξουσί]αν κ, κ-W, B:

[προστασί]αν? κ et Kontos (H-L).

5 ΔΙΑΥΤΟΝ? δι' αὐτὸν κ (an ἐφ' αὐτοῦ? H-L):
δι' αὐτοῦ B; idem, seclusis τὸν δῆμον, κ-W.

6 . . ΑΤΑΤΑΤΙC: ἡ κατάστασις κ,
κ-W; κατάστασις B. [τῶν κ]ατασ[τάσεων] 'dubitanter van Leeuwen' (H-L).

τοῦσιν ἐν ταῖς διαστάσεσιν οἱ δῆμοι τῶν
ἐπύρων. Thuc. iii 82, 1; viii 65, 1.

τὴν χώραν ἀνάδαστον ποιοῦσι] *Pol.*
viii (v) 5, 1305 a 2, ὅτε μὲν γάρ, ἵνα
χαρίζωνται, ἀδικούντες τοὺς γνωρίμους συν-
ιστάσιν, ἡ τὰς οὐσίας ἀνάδαστους ποιοῦντες
ἡ τὰς προσόδους ταῖς λειτουργίαις, ὅτε δὲ
διαβάλλοντες, ἵν' ἔχωσι δημεύειν τὰ κτήματα
τῶν πλουσίων. 7, 1307 a 1 (of the Lacedae-
monians about the time of the second
Messenian war), θλιβόμενοι γὰρ τινες διὰ
τὸν πόλεμον ἡξίου ἀνάδαστον ποιεῖν τὴν
χώραν. 8, 1309 a 14, δεῖ δ' ἐν μὲν ταῖς
δημοκρατίαις τῶν ἐπύρων φείδεσθαι, μὴ
μόνον τῇ τὰς κτήσεις μὴ ποιεῖν ἀνάδαστους,
ἀλλὰ μηδὲ τοὺς καρπούς.

§ 4. διελύθησαν] *Xen. Hell.* ii 4, 43,
ὕστερ' ὧν δὲ χρόνῳ ἀκούσαντες ξένους μισ-
θοῦσθαι τοὺς Ἑλευσίνας, στρατευσάμενοι παν-
δημεῖ ἐπ' αὐτοὺς τοὺς μὲν στρατηγούς αὐτῶν
εἰς λόγους ἐλθόντας ἀπέκτειναν, τοῖς δὲ ἄλλοις
εἰσπέμψαντες τοὺς φίλους καὶ ἀναγκαίους
ἐπεισαν συναλλαγήναι· καὶ ὁμώσαντες ὅρκους
ἡ μὴ μὴ μνησικακήσιν, ἔτι καὶ νῦν ὁμοῦ τε
πολιτεύονται, καὶ τοῖς ὅρκοις ἐμμένει ὁ
δῆμος.

ἔπει τρίτῳ—ἐπὶ Ξεναίνετου] B.C. 401/0.
The final reconciliation is thus placed
later than has generally been inferred
from Xenophon's phrase ὕστερ' ὧν χρόνῳ
(corresponding to ἐν τοῖς ὕστερον καιροῖς
of c. 41 § 1). Grote c. 65 end, v 598—9.

XLII. Recapitulation.

§ 1. ἐνεστήσαντο] *Probl.* 951 a 28, ἐν-

στήσασθαι τὸ πᾶγμα. Intrans. 5 § 2, *ib.*
ult., 17 § 4, 27 § 2, 37 § 1. The intrans.
parts are those generally used in Ar. On
the other hand συνιστάναι (συστήσαι, συσ-
τήσασθαι) πόλιν, πολιτείαν, is found in
Pol. 1266 a 23, 1284 b 18, 1288 a 40,
1319 b 33, also in *Oecon.* 1343 a 7.

ἐπὶ Πυθοδώρου] B.C. 404/3. In c. 39
§ 1 the formal convention for the restora-
tion of the democracy is placed in the
archonship of Euclides (403/2). But the
return of Thrasybulus and the other exiles
of the democratical party, and the occupa-
tion of the Peiraeus, took place about
January 403, in the archonship of Pytho-
dorus.

The text implies 'that the subsequent
extension of the democracy...was justified
by the fact of its having secured its own
re-establishment, without the open help
of any other nation, and in the face of
the opposition of a powerful party at
Sparta' (Kenyon). But it is difficult to
resist Mr Kenyon's suggestion that the
passage is corrupt, and that the position
of Thrasybulus as leader of the restored
democracy was recognised in the latter
part of this sentence.

§ 2. κατάστασις τῶν ἐξ ἀρχῆς Ἴωνος]
The constitution under Ion (which is, of
course, prehistoric) was doubtless described
in the early chapters of the treatise. Cf.
fragm. 343² = 381³.

ἀρχῆς Ἰωνος καὶ τῶν μετ' αὐτοῦ συνοικισάντων· τότε γὰρ πρῶτον εἰς τὰς τέτταρας συνενεμήθησαν φυλὰς καὶ τοὺς φυλοβασιλεῖς κατέστησαν. δευτέρα δὲ καὶ πρώτη μετὰ ταύτη[ν] ἔχουσα πολιτείας τάξιν ἢ ἐπὶ Θησέως γενομένη, μικρὸν παρεγκλίνουσα τῆς βασιλικῆς. μετὰ δὲ ταύτην ἢ ἐπὶ Δράκοντος, ἐν ᾗ καὶ νόμους ἀνέγραψαν πρῶτον. τρίτη δ' ἢ μετὰ τὴν στάσιν, ἢ ἐπὶ Σόλωνος, ἀφ' ἧς ἀρχῇ δημοκρατίας ἐγένετο. τετάρτη δ' ἢ ἐπὶ Πεισιστράτου τυραννίς. πέμπτη δ' ἢ μετὰ <τὴν> τῶν τυράννων καταλύσιν, ἢ Κλεισθένους, δημοτικωτέρα τῆς Σόλωνος. ἕκτη δ' ἢ μετὰ τὰ Μηδικά, τῆς ἐξ Ἀρείου πάγου βουλῆς ἐπιστατούσης. ἐβδόμη δ' ἢ μετὰ ταύτην, ἣν Ἀριστείδης μὲν ὑπέδειξεν, Ἐφιάλτης δ' ἐπέτε-

7 συνοικισάντων Blass coll. frag. 381³, K-W, H-L: συνοικισάντων defendit K² coll.

HN

c. 15, 7 et Thuc. i 24, vi 5. 8 ΤΕΤΤΑΡΑΣ. 9 ΜΕΤΑ ΤΑΥΤΑ ΕΧΟΥΣΑΙ (deleto ι) ΠΟΛΙΤΕΙΑΝ ΤΑΞΙΝ: μετὰ ταῦτα [ἐξ]έχουσα πολιτείας τάξις K¹, —[μετ]έχουσα J B Mayor, —ὕπάρχουσα Richards; [παρ]έχουσα aut πολιτείαν τάξις (Rutherford) aut πολιτείας τάξιν (Wyse), νέαν ἐχουσα πολιτείας τάξιν Gertz. μετρίαν τιν' ἐχουσα πολιτείας τάξιν H-L; μετὰ ταῦτα . . ἐχουσα πολιτείας τάξιν K-W; μετὰ ταύτην ἐχουσα πολιτείας τάξιν K³, B. 14 <τὴν> add. K (edd.). 16 ΔΕ ΚΑΙ (K, B coll. vv. 9 et 20—21): δ' ἢ J B Mayor, K-W, H-L. 17 ἐπετέλεσε H-L.

συνοικισάντων] Heraclides *init.*, συνοικῆσαντος δὲ Ἰωνος αὐτοῖς.

εἰς τὰς τέτταρας—φυλὰς] c. 8 § 3. συνενεμήθησαν] cf. 21 § 2, συνένειμε (*al.* διένειμε).

φυλοβασιλεῖς] c. 8 § 3; c. 57 *ult.* | δευτέρα...καὶ πρώτη] i.e. the constitution of Theseus was second to that of Ion and was the first of the eleven μεταβολαί.

πολιτείας τάξιν] c. 3 § 1, ἡ τάξις τῆς ἀρχαίας πολιτείας.

μικρὸν παρεγκλίνουσα τῆς βασιλικῆς] The prehistoric 'constitution of Theseus' was treated in an early chapter that is now lost. The lost passage is referred to in Plut. *Thes.* 25, ὅτι δὲ πρῶτος ἀπέκλινε πρὸς τὸν ὄχλον, ὡς Ἀριστοτέλης φησί, καὶ ἀφῆκε τὸ μοναρχεῖν, ἔοικε μαρτυρεῖν καὶ Ὀμηρος ἐν νεῶν καταλόγῳ μόνους Ἀθηναίους δῆμον προσαγορεύσας. παρεγκλίνειν intr. is found in *Hist. Anim.* 498 a 16, σκέλη μικρὸν εἰς τὸ πλάγιον παρεγκλίνοντα. ἐγκλίνειν intr. in *Pol.* 1307 a 21, ἐφ' ὁποτέρῳ ἂν ἐγκλίνη ἡ πολιτεία, and 1266 a 7, ἡ τῶν Λακεδαιμονίων πολιτεία μᾶλλον ἐγκλίνει βούλεται πρὸς τὴν ὀλιγαρχίαν. ἐκκλίνειν intr. in *Pol.* ii 11, 1273 a 5, τὰ μὲν εἰς δῆμον ἐκκλίνει μᾶλλον τὰ δ' εἰς ὀλιγαρχίαν.

ἐν ᾗ καὶ νόμους ἀνέγραψαν πρῶτον] The summary does not strictly correspond to the original account in c. 4. Nothing was there stated on the important fact that under Dracon the laws were first

reduced to a written code, though it was partly implied in the words: τοὺς θεσμοὺς ἔθηκεν. On the other hand, the remarkable 'Draconian constitution,' which has justly aroused considerable suspicion, finds no recognition in the summary. This supports the view that the description of that constitution is an interpolation.

Σόλωνος] 5—12. ἀρχὴ δημοκρατίας] 9 § 1. Πεισιστράτου] 14—19. Κλεισθένους] 22. δημοτικωτέρα] 22 *init.* τῆς ἐξ Ἀρείου πάγου βουλῆς] 23.

Ἀριστείδης] Aristides is here described as having traced the outline which was completed by his successor Ephialtes. The former admitted the lower classes to a larger share in public life. Though he did not actually throw the archonship open to all the citizens of Athens (as asserted in Plut. *Arist.* 22), he encouraged the rural population to resort to Athens (c. 24 § 1) and thus prompted them to take an interest in political affairs. Ephialtes carried this democratical movement still further by abolishing the supremacy of the Areopagus.

There is no justification for the criticism of Rühl (*Rhein. Mus.* 46, 432) that Aristides is here represented as cooperating with Ephialtes. The absence of the name of Themistocles is, however, worthy of note. As a constitutional reformer he is eclipsed by Aristides. It may even be

λεσεν καταλύσας τὴν Ἀρεοπαγίτιν βουλήν· ἐν ᾗ πλεῖστα συνέβη
τὴν πόλιν διὰ τοὺς δημαγωγοὺς ἀμαρτάνειν — — διὰ τὴν τῆς
20 θαλάττης ἀρχήν. ὀγδόη δ' [ἡ] τῶν τετρακοσίων κατάστασις, καὶ
μετὰ ταύτην ἐνάτη [[δὲ]] [δ]ημοκρατία πάλιν. δεκάτη δ' ἡ τῶν
τριάκοντα καὶ ἡ τῶν δέκα τυραννίς. ἐνδεκάτη δ' ἡ μετὰ τὴν ἀπὸ
Φυλῆς καὶ ἐκ Πειραιέως κάθοδον, ἀφ' ἧς διαγεγένηται μέχρι τῆς
νῦν, αἰεὶ προσεπιλαμβάνουσα τῷ πλήθει τὴν ἐξουσίαν. ἀπάντων
25 γὰρ αὐτὸς αὐτὸν πεποίηκεν ὁ δῆμος κύριον καὶ πάντα διοικεῖται
ψηφίσμασιν καὶ δικαστηρίοις, ἐν οἷς ὁ δῆμός ἐστιν ὁ κρατῶν. καὶ
γὰρ α[ἰ τ]ῆς βουλῆς κρίσεις εἰς τὸν δῆμον ἐληλύθασιν. καὶ τοῦτο

19 διὰ (K, K-W, B): <καὶ> διὰ H-L; — 'deest fere θαρρήσαν' K-W coll.
Pol. 1274 a 12. 20 ΟΓΔΟΗΝΔ——ΚΑΤΑΨΤΑΨΤΑCΙΝ. 21 δὲ secl. J B Mayor
(K-W, H-L), retinent K, B. 22 καὶ [[ἡ]] K-W. 23 πειραιῶς (H-L).
THC: τοῦ H-L. 24 Locus corruptus, K-W. 26 ψηφίσμασι H-L.

doubted whether he really has any claim to have acted with Ephialtes in overthrowing the Areopagus, as narrated in c. 25 § 3.

17. ὑπέδειξεν] with πρῶτος in *Rhet.* iii 2, 1404 b 25, and *Poet.* 4, 1448 b 37. Cf. Hdt. i 189, Xen. *Oecon.* xi 18. The metaphor is probably derived 'from the tracing of lines underneath by a writing-master, for the pupil to follow or write over,' *Protag.* 326 D (Cope's *Introd.* to *Ar. Rhet.* p. 284).

Ἐφιάλτης] From the tenour of the earlier part of the work we are prepared to find a prominent place assigned in the summary to Ephialtes, as compared with Pericles. The reforms in the Areopagus due to the latter were of minor importance. But it is singular that so notable a name should find no mention in the present passage. He is here regarded as one of the demagogues whose influence was detrimental to Athens. The slight notice of his policy in 28 § 1 is indeed not unfavourable; but it is certainly far from enthusiastic.

διὰ τὴν τῆς θαλάττης ἀρχήν] Isocr. *de Pace*, 79.

τῶν τετρακοσίων] 29—32. δημοκρατία] 34.

ἡ τῶν τριάκοντα—τυραννίς] more accurately described as an oligarchy in 53 *init.* τῶν δέκα] 38 § 1.

προσεπιλαμβάνουσα τῷ πλήθει τὴν ἐξουσίαν] Schömann, *Ant.* p. 386 E. T.: 'The demagogues found it their interest to extend the activity of the popular assemblies as far as possible, and to

establish the principle that the people was, in the most comprehensive sense of the term, lord over everything, and could do what it pleased (*in Neaer.* p. 1375; Xen. *Hell.* i 7, 12). On the other hand, men of keener insight complained that the State was administered by Psephismata—that is, according to the pleasure at any moment of the sovereign people—rather than according to the laws, and that there was only too often a contradiction between the laws and these Psephismata.' *Pol.* vi (iv) 4, 1292 a 4—37, ἕτερον εἶδος δημοκρατίας τὰλλα μὲν εἶναι ταῦτά, κύριον δ' εἶναι τὸ πλῆθος καὶ μὴ τὸν νόμον. τοῦτο δὲ γίνεται ὅταν τὰ ψηφίσματα κύρια ᾖ ἀλλὰ μὴ ὁ νόμος. συμβαίνει δὲ τοῦτο διὰ τούτων δημαγωγῶν κτλ. *Dem. Lept.* § 92.

εἰς τὸν δῆμον ἐληλύθασιν] In the department of judicature indictments or informations concerning breaches of the law, which could not be dealt with in the ordinary course, were in the first instance brought before the Council. If the offence were too important for the competency of that body, they passed to the popular assembly. The Council could not inflict any fine beyond 500 *drachmae*. Schömann, *Ant.* 394—5 E. T. Cf. 45 and 49 § 3; *Pol.* 1299 b 38 ff.

καὶ τοῦτο κτλ.] This is understood by Cauer (p. 48 f.) as a general eulogy of the fully developed democracy and as inconsistent with the views expressed in the *Politics*. But the eulogy is really limited to one particular point, the transfer of judicial functions from the βουλή to the ἐκκλησία, and both of these bodies are

δοκοῦσι ποιεῖν ὀρθῶς· εὐδιαφθωρότεροι γὰρ <οί> ὀλίγοι τῶν πολλῶν
 3 εἰσὶν κ[αὶ] κέρδει κ[αὶ] χάρισιν. μισθοφόρον δ' ἐκκλησίαν τὸ μὲν
 πρῶτον ἀπέργωσαν ποιεῖν. οὐ συλλεγομένων δ' εἰς τὴν ἐκκλησίαν, 30
 ἀλλὰ πολλὰ σοφισζομένων τῶν πρυτάνεων, ὅπως προσιστῆται τὸ
 Col. 21.] πλῆθος πρὸς τὴν ἐπικύρωσιν τῆς χειροτονίας, πρῶτον μὲν
 Ἀγύρριος ὀβολὸν ἐπόρισεν, μετὰ δὲ τοῦτον Ἡρακλείδης ὁ Κλαζο-
 μένιος ὁ βασιλεὺς ἐπικαλούμενος διώβολον, πάλιν δ' Ἀγύρριος
 τριώβολον.

42. ἔχει δ' ἡ νῦν κατάστασις τῆς πολιτείας τόνδε τὸν 35

28 ΟΛΙΓΟΝ: ὀλίγοι K: <οί> ὀλίγοι Gennadios, Kontos, K-W, H-L, B. 29 εἰσι
 H-L. δ': δὲ <τὴν> K-W, δὲ B. 31 CO(?)ΦΙΖΟΜΕΝΩΝ Blass, Gomperz,
 K-W, K³: ψηφίζομένων K¹, ψηφίζομένων <μόνων> H-L.

TESTIMONIA. XLI 33—34 Hesych. Κλαζομένιος· οὗτος Ἡρακλείδης ὁ Κλαζομένιος
 τε καὶ ὁ βαῦς (ex hoc loco βασιλεὺς scripsit Houtsma) καλούμενος.

distinctly democratic. The text is in fact in perfect accord with a passage in the *Politics*, iii 15, 1286 a 30, διὰ τοῦτο καὶ κρίνει ἄμεινον ὁχλος πολλὰ ἢ εἰς ὅστισιν. ἐτι μᾶλλον ἀδιάφθορον τὸ πολὺ, καθάπερ ὕδαρ τὸ πλείον, οὕτω καὶ τὸ πλῆθος τῶν ὀλίγων ἀδιαφθωρότερον. Cf. O. Crusius, *Philol.* 1, p. 175.

§ 3. τὸ μὲν πρῶτον] on the restoration of the democracy.

Ἀγύρριος] a statesman belonging to the deme of Collytus, prominent as a financier in the early part of the fourth century. In 400 B.C. he had a dispute with Andocides about the lease of a tax (*Andoc. De Myst.* 133, with Marchant's note).

Schol. on Arist. *Ecccl.* (B.C. 392) 102—5 (Ἀγύρριος...πράττει τὰ μέγιστ' ἐν τῇ πόλει): ὁ Ἀ. στρατηγὸς θηλυδριώδης, ἄρξας ἐν Λέσβῳ. καὶ τὸν μισθὸν δὲ τῶν ποιητῶν συνέτεμε (cf. Schol. on *Ran.* 367 and *Plat. Com. frag.* 133 Kock) καὶ πρῶτος ἐκκλησιαστικὸν δέδωκε. In *Ecccl.* 300—310 the poet refers to the time when only one obol was allowed instead of three: ἡνίκ' ἔδει λαβεῖν ἐλθόντ' ὀβολὸν μόνον, whereas now τριώβολον ζητοῦσι λαβεῖν, *ib.* 380, 392, *Plut.* (ed. 2, B.C. 389) 329 and 171 with the Schol. where, however, the μισθὸς ἐκκλησιαστικὸς is confounded with the μ. δικαστικός. The text shews that the Schol. on *Ecccl.* 102 was right in making Agyrrius the originator of the fee. Boeckh (II xiv p. 316 Lamb) inferred from the mention of Myronides in *Ecccl.* 305 that the fee was introduced some time after the beginning of the influence of Pericles. He was further led

to ascribe its origin to one Callistratus, *Append. Vatic. Proverb.* iii, ὀβολὸν εὔρε Παρνύτης. Καλλίστρατος Ἀθήνησι πολιτευσάμενος, ἐπικαλούμενος δὲ Παρνύτης, μισθὸν ἔταξε τοῖς δικασταῖς καὶ τοῖς ἐκκλησιασταῖς. Possibly Callicrates, who added an obol to the διώβολον of the θεωρικόν is really meant (28 § 3). The text also proves that for a short time the fee for the public assembly was two obols, though this was denied by Boeckh, *l. c.*

Agryrrius also restored the θεωρικόν (*Philochorus ap. Harpocr. s.v.*). On the death of Thrasylbulus (early in 389) he was elected στρατηγὸς (*Xen. Hell.* iv 8, 31; *Diod.* xiv 99). *Plat. Com. frag.* 185 Kock, λαβοῦ λαβοῦ τῆς χειρὸς ὡς τάχιστα μὲν μέλλω στρατηγὸν χειροτονεῖν Ἀγύρριον. It was probably after 387 that he was long in prison as a debtor to the State (*Dem.* 24 § 134).

Ἡρακλείδης ὁ Κλαζομένιος] mentioned in *Plat. Ion.* 541 D (with Phanosthenes of Andros), οὗς ἦδε ἡ πόλις ξένους ὄντας, ἐνδειξαμένους ὅτι ἀξιοὶ λόγου εἰσὶ, καὶ εἰς στρατηγίας καὶ εἰς τὰς ἄλλας ἀρχὰς ἔγει. Favorinus ap. *Athen.* 506 A; *Aelian, Var. Hist.* xiv 5. The name βασιλεὺς is perhaps due to his belonging to some royal family in Asia Minor (cf. Strabo, p. 632; *CIG* 2881, 2069, 2157, 2189). Peisistratus was called βασιλεὺς in the Δῆμος of Eupolis (*frag.* 123 p. 291 Kock). O. Crusius in *Philol.* 1, p. 177. Heraclides is identified by Köhler (*Hermes*, xxvii 68 ff.) with the person of that name mentioned in an inscr. in *Bull. Corr. Hell.* 1888, p. 163.

τρόπον. μετέχουσιν μὲν τῆς πολιτείας οἱ ἐξ ἀμφοτέρων γεγονότες ἀστῶν. ἐγγράφον[ται] δ' εἰς τοὺς δημότας ὀκτωκαίδεκα ἔτη γεγονότες· ὅταν δ' ἐγγράφωνται, διαψηφίζονται περὶ αὐτῶν ὁμόσαντες 5 οἱ δημόται, πρῶτον μὲν εἰ δοκοῦσι γεγονέναι τὴν ἡλικίαν τὴν ἐκ τοῦ νόμου, κὰν μὴ δόξωσι, ἀπέρχονται πάλιν εἰς παῖδα[ς, δ]εύτερον δ' εἰ ἐλεύθερός ἐστι καὶ γέγονε κατὰ [το]ὺς νόμους. ἔπειτ' ἂν μὲν ἀποψηφίσωνται μὴ εἶναι ἐλεύθερον, ὁ μὲν ἐφήσιν εἰς τὸ δικαστή-

XLII 2 μετέχουσι H-L. **3** ΟΚΤΩΚΑΙΔΕΚΑΕΤΕΙC ante corr. **4** Δεγραφά : δ' ἐγγράφ. Wyse, Blass, Herwerden, Naber (K-W, H-L, K³). **6** δόξωσιν H-L. **7** ἂν μὲν H-L. **8** ΕΠΙΨΗΦ (K) : ἀποψηφ. Wyse, Blass, K-W, H-L; cf. Phot. l.c.

TESTIMONIA. **XLII 3—4** *Schol. Arist. *Vesp.* 578 παίδων τοίνυν δοκιμαζομένων· πρὸς τὸ ἔθος. 'Αρ. δὲ φησιν ὅτι ψήφω οἱ ἐγγραφόμενοι δοκιμάζονται, μὴ νεώτεροι (νεώτεροι μὴ codd., correx. K-W) ἢ ἐτῶν εἰεν (Frag. 427², 467³). ἴσως δ' ἂν περὶ τῶν μὴ κρινομένων παίδων εἰς τοὺς γυμνικοὺς ἀγῶνας λέγει (sc. ὁ Ἀριστοφάνης)· οὐχ ὥς ἐν δικαστηρίῳ κρινομένων ἀλλ' ὑπὸ τῶν πρεσβυτέρων.

8 Phot. (et Etym. M.) ἐφέσις: ...ἐγένετο δὲ Ἀθήνησιν ἐπὶ τῶν ἐν τοῖς δήμοις ἀποψηφισθέντων, ἐφείσθαι γὰρ αὐτοῖς εἰς δικαστήριον περὶ τῆς πολιτείας· καὶ εἰ μὲν ἐάλωσαν, ἐπωλοῦντο ὥς ξένοι· εἰ δὲ μὴ, ἐπᾶνῃσαν εἰς τοὺς ἐξ ὧν ἀπεψηφίσθησαν δήμοις.

Part II, c. XLII—LXIII. *The Existing Constitution.*

XLII § 1. Enrolment on the list of citizens.

§ 1. μετέχουσιν τῆς πολιτείας Pol. 1268 a 24, 27; 1275 b 31; 1290 a 4. **ἐξ ἀμφοτέρων—ἀστῶν** Pol. 1278 a 34, τέλος δὲ μόνον τοὺς ἐξ ἀμφοῖν ἀστῶν πολίτας ποιοῦσιν. 1275 b 21, ὀρίζονται δὲ πρὸς τὴν χρῆσιν πολίτην τὸν ἐξ ἀμφοτέρων πολιτῶν καὶ μὴ θατέρου μόνον, οἷον πατὴρ ἢ μητρός. See note on 26 § 4.

ἐγγράφονται Pol. iii 1, 1275 a 14, παῖδας τοὺς μῆπω δι' ἡλικίαν ἐγγεγραμμένους. Dem. *Eubul.* 57 § 61, ἡνίκ' ἐνεγράφην ἐγὼ καὶ ὁμόσαντες οἱ δημόται δικαίως πάντες περὶ ἐμοῦ τὴν ψήφον ἔφερον, οὔτε κατηγορήσεν οὐτ' ἐναντίαν τὴν ψήφον ἤνεγκεν. Isaeus 7 § 28, ὁμόσαντες καθ' ἑαυτῶν ἐνέγραψάν με (sc. εἰς τὸ ληξιαρχικὸν γραμματεῖον). Lycurg. *Leocr.* 76, ἐπειδὴν εἰς τὸ ληξιαρχικὸν γραμματεῖον ἐγγραφῶσι καὶ ἐφηβοὶ γίνονται. The earliest ephebic inscr. (B.C. 334—3) mentions οἱ ἐφηβοὶ οἱ ἐπὶ τοῦ Κτησικλείους ἀρχοντος ἐγγραφέντες. By this registration the youthful citizen entered on the duties of civil life at the same time as he was enrolled on the list of *ephebi*. This was the only list of *ephebi* kept by the demes, and such a phrase as ἐγγράφεσθαι εἰς ἐφήβους (Pseudo-Plat. *Axioch.* 366 E) is an inaccurate equivalent for ἐγγ. εἰς τοὺς δημότας (P. Girard, in Daremberg and Saglio, iii 624).

ὀκτωκαίδεκα ἔτη Schol. Aeschin. c. Ctes. 122, ἀπὸ ὀκτωκαίδεκα ἐτῶν ἐνεγράφοντο εἰς τὸ ληξιαρχικόν, and i § 19, ἐπὶ

διετὲς ἡβῆσαι (Aeschin. l. c.) denoted the close of the two years intervening between the ages of 16 and 18 (A. Schäfer, *Dem.* iii 2, 19—38; Lipsius in *N. Jahrb. f. Philol.*, no. 117, p. 299 ff.; Gilbert, *Gr. St.* i 186).

In Aristoph. *Vesp.* 578 it is regarded as a privilege of the *δικασταὶ* to take part in ascertaining the physical maturity of Athenian youths on the occasion of the *δοκιμασία*. In the present passage the preliminary enrolling belongs to the *δημόται*, while the subsequent *δοκιμασία* is now for the first time assigned to the *βουλῇ*, to which it was perhaps transferred after the time of Aristophanes. According to the text, the *δικασταὶ* are only concerned in the event of an appeal on the question whether the person enrolled was of free birth or not. (Cf. Meier and Schömann, *Att. Process*, p. 253—4 Lipsius. The doubt there suggested as to the accuracy of the Schol. on *Vesp.* 578 is now withdrawn by Lipsius, in the *Verhandlungen der K. Sächsischen Gesellschaft der Wissenschaften*, Leipzig, 1891, p. 63.) Possibly, in the event of a dispute on the question of age, the matter was similarly referred to a court, but this is not stated in the text.

διαψηφίζονται The ordinary *διαψηφίσις* here described might be followed by an appeal to a *δικαστήριον*. The procedure was the same as in the special *διαψηφίσις* described in Dem. 57 § 60, ἐπεισε διαψηφίσασθαι τοὺς Ἀλιμουσίους περὶ αὐτῶν καὶ κατηγορῶν δέκα τῶν δημοτῶν ἐξέβαλεν, οὐδ' ἅπαντας πλὴν ἐνὸς κατεδέξατο τὸ δικαστήριον.

ριον, οἱ δὲ δημόται κατηγορούς αἰροῦνται πέντε [ἄν]δρας ἐξ αὐτῶν, καὶ μὲν μὴ δόξη δι[καί]ως ἐγγράφ[εσ]θαι, πωλεῖ τοῦτον ἢ πόλιν.¹⁰ 2 εἰ δὲ νικήσῃ, τοῖς [δη]μόταις ἐπάναγκες ἐγγράφειν. μετὰ δὲ ταῦτα δοκιμάζει τοὺς ἐγγραφέντας ἢ βουλή, καὶ τις δόξ[η] ν[ε]ώτερος ὁκτωκαίδεκα ἐτῶν εἶναι, ζημιοὶ [τοῦ]ς δημότας τοὺς ἐγγράψαντας. ἐπὶ δὲ δοκιμα[σθ]ῶσιν οἱ ἔφηβοι, συλλεγόντες οἱ πατέρες αὐτῶν κατὰ φυλὰς, ὁμόσαντες αἰροῦνται τρεῖς ἐκ τῶν φυλετῶν τῶν¹⁵ ὑπὲρ τετταράκοντα ἔτη γεγονότων, οὓς ἂν ἡγῶνται βελτίστους εἶναι καὶ ἐπιτηδειοτάτους ἐπιμελεῖσθαι τῶν ἐφήβων, ἐκ δὲ τούτων

11 Versus in fine ἐνγραφῆι ἐγγράφειν (sc. ἐπάναγκες ἐστὶν αὐτὸν ἐγγράφειν) recte
ΔΙ

van Leeuwen (H-L, B): ἐνγραφῆι ἐγγράφεται K, K-W; constructio quidem utraque recte se habet; ἐπάναγκες ἐγγράφειν defendunt c. 29, 21, *Pol.* 1266 a 10, 17, 18 et 1301 b 23; ἐπάναγκες ἐγγράφεται *Pol.* 1266 a 15; sed manus tertia nunquam aut ται contrahit aut ΔΙ supra verbi finem scribit, N autem septies eodem in loco ponit, c. 41, 30
ἐκκλησία, c. 42, 34 λαμβανουσι, c. 43, 4 χειροτονουσι, 7 πρυτανεῦσι, 15 βουλή, 17 χειροτονεῖ, 29 κελευουσι; quorum exemplorum sex in fine versus inventa sunt. 13 ὁκτωκαίδεκ' K-W, B. 14 ἔπταν: ἐπειδὴν H-L.

ἀποψηφίσωνται] used absolutely in Dem. 57 §§ 11, 56, 58, 59, 62; followed by μὴ in *F. L.* 174, ἀπεψηφίσαντο μὴ πέμπειν. ἐπιψηφίσεσθαι is found c. acc. in Dion. H., *Ant.* vi 71, and Diod. xix 61; but these passages do not justify the retention of ἐπιψηφίσωνται.

ἐφίψιν κτλ.] Dem. 57 § 6, ἀξίω...μηδέπω τὴν τῶν δημοτῶν ἀποψήφισιν ποιεῖσθαι τεκμήριον ὑμᾶς, ὡς ἄρ' οὐχὶ προσήκει μοι τῆς πόλεως. εἰ γὰρ ἐνομίζετε τὰ δίκαια δυνήσεσθαι τοὺς δημότας διακρίναι, οὐκ ἂν ἐδώκατε τὴν εἰς ὑμᾶς ἔφεσιν. Cf. Etym. M. and Photius, s. v. ἔφεσις, quoted in *Testim.*

πέντε ἄνδρας] We find a similar procedure in the decree of the φράτερες recorded in the Decree in inscr., CIA ii 2, p. 534—6, no. 841 b, ll. 30—34, εἰ δὲ τις βούληται ἐφεῖναι εἰς Δημοσωνίδας, ὧν ἂν ἀποψηφίσωνται, ἐφείναι αὐτῷ, ἐλέσθαι δὲ ἐπ' αὐτοῖς συνηγούρους τὸν Δεκελεικὸν οἶκον πέντε ἄνδρας ὑπὲρ τριάκοντα ἔτη γεγονότας. Cf. *Class. Rev.* v 221 a.

πωλεῖ] Dionys. on Isaeus, 16 p. 617, ἐγρᾶφθ' ὅτι τις ὑπὸ τῶν Ἀθηναίων νόμος ἐξέτασιν γενέσθαι τῶν πολιτῶν κατὰ δήμους, τὸν δὲ ἀποψηφισθέντα ὑπὸ τῶν δημοτῶν τῆς πολιτείας μὴ μετέχειν, τοῖς δὲ ἀδίκως ἀποψηφισθεῖσιν ἐφεσιν εἰς τὸ δικαστήριον εἶναι, προσκαλεσαμένους τοὺς δημότας, καὶ εἰναι τὸ δεύτερον ἐξελεγχθῶσι, πεπεῖρασθαι καὶ τὰ χρήματα εἶναι δημόσια. Bekker, *Anecd.* (and Suidas) s. v. ἀποψηφισθέντα.

εἰ τις ξένος ἔδοξεν εἶναι καὶ οὐ πολίτης, τοῦτον ἐν ταῖς διαψηφίσεσι τῶν δήμων ἀπεψηφίζοντο οἱ δημόται, καὶ ἐλέγετο ἀπεψηφισμένος. εἴτα εἰσήγετο εἰς τὸ δικαστήριον καὶ ἐκρίνετο ξενίας, καὶ εἰ μὲν ἔαλω, ἐπιπράσκετο ὡς ξένος· εἰ δὲ ἐκράτει, ἀνελαμβάνετο εἰς τὴν πολιτείαν. οὕτω Δημοσθένης (*de Cor.* 132). Cf. Meier and Schömann, p. 440 Lips., n. 705.

§§ 2—5. On the military training of the *Ephebi*. On the *Ephebi*, see Dittenberger, *De Ephebis Atticis*, 1863; Dumont, *Essai sur l'Éphebée Attique*, 1875—6; Grasberger, *Erziehung und Unterricht im Klass. Alterthum*, iii, 1881. Also Capes, *University Life in Ancient Athens*, 1877; Wayte on *Ephebus* in Smith, *Dict. Ant.*; P. Girard, *l'éducation Athénienne*, 1889, pp. 271—327; and esp. the same scholar's article in Daremberg and Saglio, 1891, iii 621—636 (the only account of the subject written since the discovery of this treatise).

§ 2. δοκιμάζει] This δοκιμασία (like that of adopted sons) probably took place at the time of the ἀρχαιρεσίαι (Isaeus 7 § 28; Dem. c. *Leoch.* 44 § 39) at the beginning of the official year (Lys. 21 § 1). Cf. Gilbert, i 187.

ὑπὲρ τετταράκοντα ἔτη] Similarly any χορηγός who had boys under his superintendence had to have attained the age of 40 (56 § 3).

ὁ δῆμος ἓνα τῇ[ς φ]υλῆς ἐκάστης χειροτονεῖ σωφρονιστήν, καὶ [κοσ]μητήν ἐκ τῶν ἄλλων Ἀθηναίων ἐπὶ πάντας. συλλαβόντες δ' 3
20 οὗτοι τοὺς ἐφήβους, πρῶτον μὲν τὰ ἱερὰ περιήλθον, εἴτ' εἰς

19 ...ΜΗΤΗΝ?: κοσμητήν Paton, van Leeuwen (H-L), K-W, K³, B; [ἐπιμ]ελητήν K¹. ΠΑΝΤΑ vel ΠΑΝΤΑΣ ante CΥΛΛ: πάντα. συλλ. K; πάντας. συλλ. K-W, B; πάντας. παραλ. H-L.

18—25 Bekk. *Anecd.* 301 (infra exscriptum).

χειροτονεῖ] one of the few exceptions to the general rule by which appointments at Athens were made by lot. Cf. 43 § 1 and Headlam, *On the Lot*, p. 104. σωφρονιστήν] [Plat.] *Axiōch.* 367 A, πᾶς ὁ τοῦ μειρακίσκου χρόνος (v. l. πόνος) ἐστὶν ὑπὸ σωφρονιστάς. Dinarchus, *adv. Philocl.* 15, ὁ μὲν δῆμος ἅπας οὐτ' ἀσφαλές οὐτε δίκαιον νομίζων εἶναι παρακαταθέσθαι τοὺς ἑαυτοῦ παῖδας, ἀπεχειροτόνησεν αὐτὸν ἀπὸ τῆς τῶν ἐφήβων ἐπιμελείας. Philocles, the στρατηγὸς here referred to, was a σωφρονιστής, not a κοσμητής (Gilbert, i 297; Dumont, *Essai sur l'Éphébie Attique*, 1876, p. 169 f.). In Bekker *Anecd.* 301 the σωφρονιστάς are defined as ἄρχοντες τινες χειροτονητοί, δέκα τὸν ἀριθμὸν, ἐκάστης φυλῆς εἰς. ἐπεμελοῦντο δὲ τῆς σωφροσύνης τῶν ἐφήβων μισθὸν παρὰ τῆς πόλεως λαμβάνοντες ἕκαστος καθ' ἡμέραν δραχμὴν (similarly in Photius and Etym. M. s. v.).

They are mentioned in the earliest ephobic inscr. now extant, B.C. 334—3 (*Bull. Corr. Hell.* xiii 253); also in B.C. 320/19 (CIA ii 581); and in B.C. 305/4. This last inscr., as restored, includes the words: [τοῦ κοσμητοῦ καὶ τῶν σωφρο[νιστῶν καὶ τῶν διδασκάλων. The κοσμητής also appears to be named near the beginning: [ἐπειδὴ οἱ ἐφηβοὶ... ἐπιμ]ελοῦνται ἐ[... καὶ .. φιλοτ]μοῦν[ται....] ἰωσι εὐτάκτως... τε κοσμη[τ... τ]ᾶλλα τὰ περὶ τῇν... τοῖς διδ[ασκ]αλοῖς κτλ. In the same inscr. the ἐφηβοὶ are described as ἐγγραφεύς (Köhler, *Mittheilungen*, 1879, iv 324—7). The latest inscr. belongs to B.C. 303/2... σωφρονιστῆς ὑπὸ τοῦ δήμου χειροτονηθεὶς [τῶν] ἐφήβων τῶν ἐγγραφεύων [τῆς] Πανδονίδος φυλῆς ἐπὶ Λεωστράτου ἀρχοντος (B.C. 303) καλῶς καὶ σωφρόνως καὶ εὐτάκτως ἐ[πιμ]ελεῖται αὐτῶν καὶ ἀποφ[αν]ισιν αὐτὸν εἰς τὴν φυλὴν [οἱ πα]τέρες τῶν ἐφήβων ἐπιμε[λε]θήσονται κατὰ τοὺς νόμους τῶν ἐφήβων κτλ. (*Bull. Corr. Hell.* 1888, xii 149). A relief published in *Rev. Arch.* 1876, ii 185, copied in Daremberg and Saglio, iii 628, represents three σωφρονιστάς in their robes holding their wands of office in the presence of a divinity who cannot be identified. The office was apparently suppressed early in the third century B.C. to be restored in imperial times. See Ditten-

berger, *De Ephēbis Atticis*, pp. 29, 44; Dumont, *Sur l'Éphébie*, p. 200; Smith, *Dict. Ant.* i 998 b; and esp. Girard in Daremberg and Saglio, iii 626.

κοσμητήν] Erotianus, *Lex. Hipp.* s. v. κόσμου· κοσμηταὶ οἱ τῶν ἐφήβων εὐταξίας προνοοῦντες. The word is found in [Plat.] *Axiōch.* 363 E (as quoted by Stobaeus), ἐπειδὴ δ' εἰς τοὺς ἐφήβους ἐγγραφῇ, κοσμητῆς καὶ φόβος χείρων, and in a general sense in Plat. *Leg.* 372 A. The usual formula for the election of this officer is χειροτονηθεὶς κοσμητῆς ἐπὶ τοὺς ἐφήβους εἰς τὸν ἐπὶ (τοῦ δέινος) ἀρχοντος ἐνιαυτὸν, CIA ii 465, 467, 469; in 471 l. 56 the people κοσμη[τ]ὴν καθίστασθ[εν ἐκ] τῶν ἀρίστα βε[β]β[ι]ωκότων. Hardly any of the inscriptions in which this officer is mentioned are earlier than the second century. The earliest belongs to B.C. 305/4 (quoted in last n.); the next to about B.C. 282 (CIA ii 316, 10=Dittenberger, *Inscr.* no. 346). It is suggested by Dittenberger (*De Ephēbis*, p. 31) that the office was created in the time of Alexander. The inscr. of B.C. 305 (already quoted) shews that for a short time the κοσμητῆς and the σωφρονιστάς existed together. This is confirmed by the text, if the restoration is correct. Cf. Dumont, *Éphébie Attique*, p. 166 ff.; Gilbert, i 299; and Girard in Daremberg and Saglio, iii 626—7.

In literature, one of the earliest passages on the κοσμητής is in Teles (fl. middle of 3rd cent.), ap. Stob. 98, 72, ἐφηβος γέγονεν ἔμπαλιν τὸν κοσμητὴν φοβεῖται, τὸν παιδοτρίβην, τὸν ὀπλομάχον, τὸν γυμνασιάρχον, ὑπὸ πάντων τούτων μαστιγούται, παρατηρεῖται, τραχηλίζεται. ἐξ ἐφήβων ἐστὶ καὶ ἡδὲ ἔκουσιν ἐτῶν ἑτι φοβεῖται καὶ παρατηρεῖ καὶ ταξιάρχον καὶ στρατηγόν.

ἐπὶ πάντας] For ἐπὶ, of persons set over others, cf. Xen. *Cyr.* iv 5, 58, ἐπὶ τοὺς πρῶτους καθίσταναι ἄρχοντα, and *Hell.* iii 4, 20. In this sense it is more common c. gen. or dat.

§ 3. τὰ ἱερὰ περιήλθον] It was probably at this stage that the ἐφηβοὶ took the oath in the cave of Aglauros (Dem. *F. L.* 303; Lycurgus, *Leocr.* 76; Stobaeus, *Flor.* 43, 48; Pollux viii 105; another clause is quoted in Plut. *Alc.* 15).

Πειραιέα πορεύονται, καὶ φρουροῦσιν οἱ μὲν τὴν Μουνιχίαν οἱ δὲ τὴν Ἀκτὴν. χειρο[τονεῖ] δὲ καὶ παιδοτρίβας αὐτοῖς δύο καὶ διδασκάλους, [οἷ]τινες ὀπλομαχεῖν καὶ τοξεύειν καὶ ἀκοντίζειν κ[αί] καταπάλτην ἀφίεναι διδάσκουσιν. δίδωσι δὲ καὶ εἰς τρο[φήν] 24

21 Πειραιά H-L. ΜΟΥΝΥΧΙΑΝ. Cf. c. 19, 5. 23 [οἷ]τινες K, H-L, B: τ[έτ]τ[α]ρας ΔΠΕΛΤΗΝ

<οἷ> K-W. 24 ΚΑΤΗΝ καταπέλτην (K¹, K-W²): —πάλτην K-W¹, H-L, K³, B, cf. Meisterhans, p. 12² (καταπαλῶν annis A.C. 330—323). διδάξουσιν Rutherford (H-L).

Cobet, *N. L.* 223, regards the formula in Stobaeus and Pollux as a figment of the grammarians; but it can hardly be doubted that some such oath was taken, although it is not mentioned in the text. (Cf. Schömann, *Ant.* p. 359 E. T.; Gilbert, i 296 n.) The taking of the oath is exhibited on a vase in the Hermitage Museum, which shews us an ἔφηβος, armed with shield and spear, holding his right hand over an altar; the oath is being administered by an aged man (probably representing the βουλή) beyond it: behind the ἔφηβος we have a Νίκη holding a helmet (Daremberg and Saglio, iii 624).

Μουνιχίαν] 19 § 2. Even in Roman times, B.C. 100, the ἐφεβί περιέπλευσαν ... εἰς Μουνιχίαν (CIA ii 467, 22).

Ἀκτὴν] the name given to the southern peninsula of the Peiraeus, the highest point of which is about 180 feet above the sea. Harpocr. s. v. ἐπιθαλαττίδιος τις μοῖρα τῆς Ἀττικῆς. Lycurg. *Leocr.* §§ 17, 55; Diod. xx 45; *inf.* 61 § 1. Wachsmuth, *Stadt Athen*, ii 46.

παιδοτρίβας] officials employed to train the ἐφεβί in gymnastic exercises. In B.C. 305/4 their number was reduced to one (Köhler, *Mittheilungen*, iv 327, cf. Teles ap. Stob. *Flor.* 98, 72). In the inscriptions this officer generally takes precedence over the other instructors. Dumont, pp. 177—185; Daremberg and Saglio, iii 627 b.

διδασκάλους] Down to about B.C. 136 this term is regularly applied to the instructors of the ἐφεβί, including the παιδοτρίβης, the ὀπλομάχος and the rest (CIA ii 341, 465, 467, 469): after that date they are usually called παιδευταί. Dumont, p. 176; Daremberg and Saglio, iii 627; Grasberger, iii 167.

The four following verbs describe the functions of the several instructors. The corresponding official titles have hitherto been known to us from the ephebic inscriptions of the 3rd century. The literary evidence of the text is earlier than the earliest inscriptions mentioning these instructors.

ὀπλομαχεῖν] Xen. *Anab.* ii 1, 7; Plat. *Gorg.* 456 E, τοὺς παιδοτρίβας καὶ τοὺς ἐν ὅπλοις διδάσκοντας μάχεσθαι, *Euthyd.* 271 D, *Laches* 179 E, 182 B, *Leg.* 804 D, 813 D, 833 E; Teles ap. Stob. *Flor.* 98, 72; Theophr. *περὶ μικροφιλοτιμίας* (with Jebb's note on p. 203). In the ephebic inscriptions the ὀπλομάχος, or 'drill-serjeant,' ranks next to the κοσμητής and the παιδοτρίβης (Dumont, pp. 185—9). CIA ii 467 (= Ditt. no. 347) l. 52, B.C. 100, ἐπαινέσαι δὲ καὶ τοὺς διδασκάλους, τὸν τε παιδοτρίβην—καὶ τὸν ὀπλομάχον—καὶ τὸν ἀκοντιστήν—καὶ τὸν ἀφέντην. In an inscr. of Teos, the ὀπλομάχος precedes τὸν διδάζοντα τοξεύειν καὶ ἀκοντίζειν and receives a stipend of 300 dr., as against 250 (Ditt. no. 349, 22—27). In the Attic inscriptions the usual order of precedence is ὀπλομάχος, ἀκοντιστής, τοξότης, καταπαλταφέντης, and after these the γραμματεὺς and ὑπηρέτης (CIA ii 316, 465, 467, 469—471, 482). The drill was held in the Lyceum (Grasberger, iii 139).

τοξεύειν] On the τοξότης, see Dumont, p. 152; Daremberg and Saglio, iii 628. He was not necessarily an Athenian (CIA ii 316, ll. 29, 72). Cf. Plat. *Leg.* 813 D.

ἀκοντίζειν] On the ἀκοντιστής, see Dumont, p. 190; Daremberg and Saglio, *l.c.* The same person is repeatedly mentioned in the inscriptions as holding this office for several years (CIA ii 465, 471).

καταπάλτην ἀφίεναι] *Eth.* iii 2, 17, p. 1111 A 11, δ δὲ πράττει ἀγροήσειεν ἂν τις, οἶον...δεῖξαι βουλευμένος ἀφίεναι, ὥς δὲ τὸν καταπέλτην. The instructor in charge of this department was called the ἀφέντης or the καταπαλταφέντης (*le maître de balistique*). The former title is found in B.C. 100; the latter in B.C. 282, CIA ii 316 (= Ditt. 346), 28, ἐπαινέσαι δὲ καὶ τὸν παιδοτρίβην—καὶ τὸν ἀκοντιστήν—[καὶ τὸν καταπαλταφέντην—καὶ τὸν γραμματέα—καὶ τὸν τοξότην] (mentioned last in this case because he was not an Athenian, but a Cretan). καταπαλταφέντης, καταπαλταφεία and καταπάλτης occur in an inscr. of Ceos, Ditt. no. 348, 25, 30, 27. Cf. CIA ii 413 (= Ditt. 196), 15 (after B.C. 200),

25 τοῖς μὲν σωφρονισταῖς δραχμὴν μίαν ἐκάστω, τοῖς δ' ἐφήβοις
τέτταρας ὀβολοὺς ἐκάστω· τὰ δὲ τῶν φυλετῶν τῶν αὐτοῦ λαμ-
βάνων ὁ σωφρονιστὴς ἕκαστος ἀγοράζει τὰ ἐπιτηδεῖα πᾶσιν εἰς τὸ
κοινόν (συσσιτοῦσι γὰρ κατὰ φυλὰς), καὶ τῶν ἄλλων ἐπιμελεῖται
πάντων. καὶ τὸν μὲν πρῶτον ἐνιαυτὸν οὕτως διάγουσιν· τὸν δ' 4
30 ὕστερον, ἐκκλησίας ἐν τῷ θεάτρῳ γενομένης, ἀποδειξάμενοι τῷ

25 δραχμὴν μίαν per compendium scriptum < α. 28 συσσιτοῦσιν B. 29 οὕτω H-L.
29—30 ΔΥΣΤΕΡΟΝ; δ' ὕστερον K, H-L, B: δεύτερον K-W, coll. Harpocr. τὸν δεύτερον

ἐνιαυτόν. 30 ΓΕΝ? γενομένης Blass (K-W, H-L, K³). ΑΠΟΔΕΙΞ K, K-W, B;
ἐπιδειξ. H-L.

§ 4 * Harp. περίπολος: ... Ἄρ. ἐν Ἀθ. πολ. περὶ τῶν ἐφήβων λέγων φησὶν οὕτως τὸν
δύτερον ἐνιαυτὸν ἐκκλησίας ἐν τῷ θεάτρῳ γενομένης (γιν. CD) ἀποδειξάμενοι (ἀποδειξάμενοι
Dittenberger) τῷ δήμῳ περὶ τὰς τάξεις καὶ λαβόντες ἀσπίδα καὶ δόρυ παρὰ τοῦ δήμου
περίπολοῦσι τὴν χώραν καὶ διατρίβουσιν ἐν τοῖς φυλακτηρίοις (Frag. 428², 468³). Schol.
Aeschin. 2, 167.

εἰς τοὺς καταπάλτας νευρὰς ἐπέδωκεν. The engine used in this exercise is termed in the inscriptions καταπάλτης, ὄργανον or λιθοβόλος. καταπαλτῶν is the spelling found in B.C. 330 (CIA ii 807 b 129, 131, 132); in B.C. 325 (ib. 809 c 10, 12, 13); and in B.C. 323 (ib. 811 b 196, 200). Cf. Dumont, p. 191; Daremberg and Saglio, iii 628 a; Grasberger, iii 166.

δραχμὴν μίαν κτλ.] Bekker, *Anecd.* 301, quoted on σωφρονιστήν p. 152 a. Boeckh, II xvi p. 332 Lamb.

§ 4. τὸν μὲν πρῶτον ἐνιαυτὸν κτλ.] Aeschines says of himself, *F. L.*, 2 § 167, περίπολος τῆς χώρας ταύτης ἐγενόμην δύο ἔτη. Hence it has been supposed that the ἐφήβοι served as περίπολοι for two years (Schömann, *Ant.* p. 360 E. T.; Philipp in *Rhein. Mus.* 34, 613). The text describes the first year as spent in military exercises, and the second as devoted to the duties of περίπολοι (this was the view already held by Dittenberger, *De Ephēbis*, and Gilbert, i 296). The discrepancy is noticed in Harpocr. s. v. περίπολοι ... παρατηρητέον οὖν ὅτι ὁ μὲν Ἀριστοτέλης ἕνα φησὶν ἐνιαυτὸν ἐν τοῖς περιπόλοις γίνεσθαι τοὺς ἐφήβους, ὁ δὲ Ἀισχίνης δύο (cf. Dumont, p. 28 ff.). The purport of the text is quoted by the Schol. on Aeschin. l. c., οἱ γὰρ ἐφήβοι τὸν δεύτερον ἐνιαυτὸν, ἐκκλησίας ἐν τῷ θεάτρῳ γενομένης, λαβόντες ἀσπίδα καὶ δόρυ παρὰ τοῦ δήμου, περιεπόδουν τούτῳ περιήρχοντο τὴν χώραν καὶ διέτριβον ἐν τοῖς φυλακτηρίοις ἢ ἐν τοῖς φρουρίοις ἐνίοτε ἔτος μόνον, ἐνίοτε δύο. The context of the present passage shews that they acted as φρουροί for both years (§ 5), while it is

implied that they served as περίπολοι for the second year alone. Girard endeavours to remove the discrepancy by observing that the author 'ne dit pas expressément, en effet, que les éphèbes n'étaient astreints au service de περίπολοι que la seconde année. Il se borne à constater que la première année était remplie par une sorte d'apprentissage du métier de soldat, mais cet apprentissage, qui se faisait au Pirée et à Munychie, avait déjà le caractère de ce que devait être, l'année suivante, la vie éphébique' (Daremberg and Saglio, iii 629, note 174). It seems simpler to suppose that Aeschines was using a popular and only approximately accurate phrase in describing himself as περίπολος for two years.

ἐκκλησίας ἐν τῷ θεάτρῳ] Cf. A. Müller, *Bühnenalterthümer*, p. 74; and Jebb in *Smith's Dict. Ant.* ii 820 a. 'Juv. x 128; Plut. *Timol.* 34, 3; 38, 3; Nepos, *Timol.* 4, 2. Athenian decree in Joseph. *Ant.* xiv 8, 5. The inscriptions bearing on this point are collected by Adam Reusch, *de diebus contionum ordinariis ap. Athenienses*, diss. phil. Argentor. sel. iii 4' (Mayor).

ἀποδειξάμενοι κτλ.] i.e. 'having given public proof of proficiency in military exercises.' Harpocr. has ἀποδειξάμενοι, corrected by Dittenberger, *De Ephēbis*, p. 12, n. 10. The ἐφήβοι of B.C. 100 similarly appeared in public, at the end of their period of service, ἐποίησαντο δὲ καὶ ἐπ' ἐξόδῳ τῆς ἐφηβείας τὴν ἀπόδειξιν τῇ βουλῇ, CIA ii 467 (= Ditt. 347, 43); cf. ii 468, 26.

[Col. 22.] δῆμω || τὰ περὶ τὰς τάξεις, καὶ λαβόντες ἀσπίδα καὶ δόρυ παρὰ τῆς πόλεως, περιπολοῦσι τὴν χώραν καὶ διατρίβουσιν ἐν τοῖς 5 φυλακτηρίοις. φρουροῦσι δὲ τὰ δύο ἔτη, χλαμύδας ἔχοντες, καὶ ἀτελεῖς εἰσὶ πάντων· καὶ δι[κ]ην οὐτ[ε] διδόασιν οὔτε λαμβάνουσιν, ἵνα μὴ π[ρ]ό[φ]ασις ἢ τ[ο]ῦ ἀπιέναι, πλὴν περὶ κλήρου καὶ ἐπικλή- 35 [ρου], κἄν τινα κατὰ τὸ γένος ἱερωσύνη γένηται. διεξελθόντων δὲ τῶν δυεῖν ἐτῶν, ἥδη μετὰ τῶν ἄλλων εἰσὶν. τὰ μὲν οὖν περὶ τὴν τῶν πολιτῶν ἐγγραφὴν καὶ τοὺς ἐφήβους τοῦτον ἔχει τὸν τρόπον.

43. τὰς δ' ἀρχὰς τὰς περὶ τὴν ἐγκύκλιον διοίκησιν ἀπάσας

31 τὰ om. Harp. 32 τῆς πόλεως: τοῦ δήμου Harp. et Schol. Aeschin. 35 π[ρ]ό[φ]ασις ἢ τ[ο]ῦ ἀπιέναι in ectypo feliciter agnovit Blass (κ³); legebatur πράγμασι συμμιγείν τι? κ¹; πρά[γμ]ασι συμμιγνύνται J B Mayor, Hude (H-L); πρά[γμ]ασι συγγίνονται Rutherford (K-W). 36 ΚΑΤΑΤΟΓΕΝΟΣ?, κατὰ τὸ γένος K, H-L, B; κατὰ γένος K-W. ἱερωσύνη K, H-L, B; ἱερωσύνη K-W (cf. Meisthans, p. 36²). ΔΙΕΛΘΟΙΝΤΩΝ: διελθόντ. H-L. 37 ΛΕΓΕΙΝ: δυοῖν K-W¹.

ἀσπίδα καὶ δόρυ] These are exhibited on the vase representing the *erhebuis* taking the oath, mentioned in note on § 3, τὰ ἱερὰ περιῆλθον.

§ 5. φρουροῦσι] The Schol. on Aeschin. *F. L.* 167 quotes the two following lines from Eupolis, οὗτος ἐν τοῖς φρουρίοις κοιτάζεται, and τοὺς περιπόλους ἀπιέναι εἰς τὰ φρούρια. The ἐφηβοὶ of B.C. 100 (CIA ii 467, 22 and 87) ἐξῆλθον ἐπὶ τὰ φρούρια καὶ τὰ δρία τῆς Ἀττικῆς πλεονάκεις ἐν ὄπλοις. Among the φρούρια were Anaphlytus, Thoricus, Sunium, Rhamnus, Eleusis, Phyle, Aphidna (Gilbert, i 297).

χλαμύδας] 'short gowns or mantles.' Pollux, x 164, τὸ δὲ τῶν ἐφήβων φόρημα πέτασος καὶ χλαμύς. Φιλήμων ἐν Θυρωρῷ

ἐγὼ γὰρ ἐς τὴν χλαμύδα κατεθέμην ποτὲ καὶ τὸν πέτασον.

Cf. Antidotus, ap. Athen. 240 B, ἐγγραφῆναι καὶ λαβεῖν τὸ χλαμύδιον. Meleager, in *Anth. P.* vii 468, has an epitaph on a youth whom his mother ὀκτωκαίδεκέταν ἐσθλόισεν χλαμύδι. ἐκ χλαμύδος=ἐξ ἐφήβου in Plut. ii 752 E, cf. 754 F. It appears on vases as the characteristic dress of young men (L and S), e.g. Tischbein, *Vases*, i 14; Hamilton, *Vases*, i 2 (in Smith, *Dict. Ant.* i 416); and esp. on a *lecythus* from Eretria (Studniczka, *Jahrb. des Kais. deutsch. arch. Inst.* ii 163; Daremberg and Saglio, iii 630, fig. 2680). The garb of the ἐφηβοὶ is sometimes supposed to have been 'yellow or saffron-coloured' (*Dict. Ant. L.c.*), but it was black according to Philostratus, *Vit. Soph.* ii 1, 5, μελαίνας χλαμύδας ἐνημμένοι τὰς ἐκκλησίας περικέκοντο καὶ τὰς πομπὰς ἔπεμπον.

Herodes Atticus altered it into white and himself defrayed the cost of the change (CIA iii 1132; Capes, *Univ. Life*, p. 9).

ἀτελεῖς—πάντων] This general exemption did not include the *τριηραρχία*, which was incumbent on all Athenians of a certain *census* from the time of their enrolment on the *ληξιαρχικὸν γραμματεῖον* (Dem. *Mid.* 154). Even this *λητουργία* was remitted for one year in the case of orphans, Lys. 32 § 24, οὗς ἡ πόλις οὐ μόνον παῖδας ὄντας ἀτελεῖς ἐποίησεν, ἀλλὰ καὶ ἐπειδὴν δοκιμασθῶσιν ἐνιαυτὸν ἀφήκεν ἀπασῶν τῶν *λητουργιῶν*.

περὶ κλήρου] Thus Demosthenes sued his guardians as soon as he came of age, *Onei.* i 15, 17; *Mid.* 78. ἐπικλήρου] At the age of 18, the young Athenian became κύριος τῆς ἐπικλήρου, Isaeus 8 § 31, 10 § 12, *frag.* 90, Hyperid. *frag.* 223 = 194; Suidas, s. v. *ληξιαρχικὸν γραμματεῖον*, B; A. Schäfer, *Dem.* III 2, p. 24 f.

The list of lawsuits in the text is possibly not exhaustive. In Lys. 10 § 4 the speaker, who was 13 at the time when his father was put to death by the Thirty, instituted a prosecution against them before the Areopagus as soon as he came of age, ἐπειδὴ τάχιστα ἐδοκιμάσθη (§ 31, in B.C. 399). The other alternative is to assume that the statement applies only to the time of the writer (Hager in Smith, *Dict. Ant.* ii 1066 a).

XLIII § 1. *On officials elected by show of hands.*

§ 1. τὴν ἐγκύκλιον διοίκησιν] *Pol.* 1255 b 25, ἐγκύκλια διακονήματα, 1263 a 21, ἐγκύκλιοι διακοναί (every-day duties). 1269

ποιοῦσι κληρωτάς, πλὴν ταμίου στρατιωτικῶν καὶ τῶν ἐπὶ τὸ θεωρικὸν καὶ τοῦ τῶν κρηνῶν ἐπιμελητοῦ. ταύτας δὲ χειροτονοῦσιν, καὶ οἱ χειροτονηθέντες ἄρχουσιν ἐκ Παναθηναίων εἰς Παναθηναια. 5 χειροτονοῦσι δὲ καὶ τὰς πρὸς τὸν πόλεμον ἀπάσας.

K
XLIII 2 ΠΛΗΡΩΤΑΣ (6 ΠΛΗΡΟΥΤΑΙ). <τοῦ> ταμίου <τῶν> στρατιωτικῶν
Richards. 3 ΚΡΗΝΩΝ: κοινῶν J W Headlam (H-1).

b 35 (of courage), χρήσιμος πρὸς οὐδὲν τῶν ἐγκυκλίων ἀλλ' εἴπερ εἰς τὸν πόλεμον. *Oecon.* 2, 134b a 8, πρόσσδος ἀπὸ τῶν ἐγκυκλίων.

ταμίου—στρατιωτικῶν] The war-fund included the income from the property-tax and the surplus of the yearly revenue, [*Dem.*] *Neaer.* 4, τὰ περιόντα χρήματα τῆς διοικήσεως. The fund was administered by the ταμίης τῶν στρ. This official provided pay for the troops and defrayed all other military expenses (Smith, *Dict. Ant.* ii 761 b). He is first mentioned in B.C. 338, [*Plut.*] *Lycurg.* 27. In 334 (CIA ii 739) he makes payments to the treasurers of Athens and to the commissioners for restoring the figures of Νίκη and the articles of plate used in processions (see further in Hartel, *Studien über att. Staatsrecht*, pp. 135–6; Gilbert, i 237; Diirrbach, *Forateur Lycurgue*, pp. 32–33). For some of his other duties cf. *inf.* c. 47 § 2, 49 § 3.

τῶν ἐπὶ τὸ θεωρικόν] probably instituted under the administration of Eubulus (between B.C. 354 and 339). It has been a moot point whether there was only one official ἐπὶ τὸ θεωρικόν or more (Gilbert i 229). The text implies that there were several. In B.C. 343/2, CIA ii 114 c 5, a single individual is mentioned ἐπὶ τὸ θεωρικόν, immediately after the γραμματεὺς κατὰ πρυτανείαν and ἐπὶ τὰ ψηφίσματα, and immediately before the βουλῆς ταμίαι; thus he is possibly only a βουλευτὴς charged with looking after that department of business and is not necessarily to be identified with the management of the fund. Aeschines, c. *Ctes.* § 24, mentions the archon of the year in which Dem. was elected treasurer of the θεωρικόν; hence it was inferred by Boeckh (II vii p. 248 Lamb) that the office was annual. The text shews that it was held for four years, from one Panathenaic festival to the next. Cf. 47 § 2.

κρηνῶν ἐπιμελητοῦ] κρηνῶν ἐπιμεληταὶ are mentioned in *Pol.* 1321 b 26, where Athens is doubtless in Aristotle's mind, though not expressly named. Plato, *Leg.* 758 E, refers to κρηνῶν ἐπιμελητάς. An inscr. published in the *Ἐφημερίς Ἀρχαιο-*

λογική, 1889, pp. 13–16, no. 28, describes the work done by one Pytheas as ἐπιμελητὴς τῶν κρηνῶν in B.C. 333. ἐπειδὴ Πυθέας αἰρεθεὶς ἐπὶ τὰς κρήνας τῶν ἄλλων ἐν τῇ ἀρχῇ ἐπιμελεῖται καλῶς καὶ φιλοτιμῶς κτλ' ἐπαυνέσας Πυθέαν... ἀρετῆς ἕνεκα καὶ δικαιοσύνης τῆς περὶ τὴν ἐπιμέλειαν τῶν κρηνῶν, ὅπως ἂν οἱ ἄλλοι οἱ αἰεὶ χειροτονοῦμενοι ἐπὶ τὰς κρήνας φιλοτιμῶνται κτλ.

Cf. Hesych. s. v. κρηνάγγελ (sic) ἀρχὴ ἐπὶ τῆς ἐπιμελείας ὕδατος, and Pollux viii 113, ἐπιμελητὴς δὲ τις... ἐγίνετο, ὅς καὶ ἐκαλεῖτο ἐφ' ὕδωρ, ἦν... καὶ κρηνοφυλάκιον ἀρχή: also Photius, κρηνοφύλαξ ἦν δὲ καὶ ἀρχὴ τις Ἀθηνῶν. It is uncertain whether κρηνοφύλαξ was another name for this officer or the title of a subordinate official. The importance of this officer is indicated by his being elected and not appointed by lot. The office of ὑδάτων ἐπιστάτης was held by Themistocles (*Plut. Them.* 31 § 1). Cf. Daremberg and Saglio, s. v. *Epimeletes*, ii p. 668 b.

As two of the officials mentioned in the text are connected with finance, some surprise has been felt that no notice is taken of the important financial officer called the ταμίης τῆς κοινῆς προσόδου or ὁ ἐπὶ τῇ διοικήσει. (The latter title is supposed by Fellner to have been introduced about 300 B.C., but the supposition is not approved by Gilbert, i 233. Cf. Diirrbach, *Lycurgue*, pp. 21–38.)

This official, like those in the text, held office for one term of four years only, [*Plut.*] *vit. Lycurg.* 3. Lycurgus, whose financial activity began in 338, is described as ταχθεὶς ἐπὶ τῇ διοικήσει (*Hyper. frag.* 121 Blass); he probably ceased to hold this office in 334, and this treatise was written about ten years later. Hence, it is suggested by Mr J. W. Headlam to alter κρηνῶν into κοινῶν. It would be safer, however, to suppose that καὶ τοῦ ἐπὶ τῇ διοικήσει had dropped out, than to accept this suggestion. The fact that the κρηνῶν ἐπιμελητὴς was elected at the Panathenaea (about 23–28 Hecatombaeon, before the middle of August) is confirmed by the above decree in honour of Pytheas, which is dated 9 Metageitnion,

- 2 βουλὴ δὲ κληροῦται πεντακόσιοι, πενήκοντα ἀπὸ <τῆς> φυλῆς ἐκάστης. πρυτανεύει δ' ἐν μέρει τῶν φυλῶν ἐκάστη καθ' ὃ τι ἂν λάχωσιν, αἱ μὲν πρώται τέτταρες ἐξ καὶ τριάκοντα ἡμέρας ἐκάστη, 8

6 Φ Ν (K, H-W, B); πεντακόσιοι, πενήκοντα H-L.

<τῆς> φυλῆς B.

TESTIMONIA. XLIII § 2 * Harp. πρυτανείας... ἐστὶ δὲ ἀριθμὸς ἡμερῶν ἡ πρυτανεία ἥτοι λς ἢ λε, ἃς ἐκάστη φυλὴ πρυτανεύει. διείλεκται δὲ περὶ τούτων Ἀρ. ἐν τῇ Ἀθ. πολ. Harp. (= Bekk. *An.* 291, 4, Lex. Dem. Patm., Schol. Plat. p. 459) πρυτάνεις... ἐπρυτάνεον δὲ... ἐκ διαδοχῆς ἀλλήλαις αἱ δέκα φυλαὶ κλήρῳ λαχοῦσαι. Schol. Plat. Leg. p. 459: πρυτανεία δὲ ἐστὶν ἀριθμὸς τῆς ἡμερῶν ἥτοι λς ἢ λε, ἃς ἐκάστη φυλὴ πρυτανεύει λέγεται... καὶ διήρηνται εἰς ταύτας αἱ ἡμέραι τοῦ ἐνιαυτοῦ· κατὰ γὰρ σελήνην ἄγουσι τοῦτον, ὥς ἐκάστη φυλὴ τῶν δέκα ἐπιβάλλειν λε ἡμέρας, πλεονάζειν δὲ δλίγας. διὸ καὶ τὰς λοιπὰς ἀπέδωκαν οἱ Ἀθηναῖοι ταῖς πρώταις λαχοῦσαις τέσσαρσι φυλαῖς, ἵνα ἐκείνων μὲν ἐκάστη τὰς λς ἡμέρας πρυτανεύη, αἱ δὲ λοιπαὶ ἐξ ἀνὰ λε. Fere eadem Photius, πρυτανεία, inter alia ἐνιαυτὸν δὲ οἱ Ἀθηναῖοι τὸν σεληνιακὸν ἥγον (Frag. 393², 433³). Schol. Maximi Planudis ad Hermog. in *Rhet. Gr.* v p. 509, 20 Walz: ὠρυσμέναι ἦσαν ἐκκλησίαι κατὰ πρυτανείαν ἐκάστην τέσσαρες· δέκα δὲ οὐσῶν Ἀθήνησι φυλῶν ἐπρυτάνεον αἱ μὲν πρώται λαχοῦσαι φυλαὶ τέσσαρες ἀνὰ τριάκοντα ἐξ ἡμέρας, αἱ δὲ λοιπαὶ ἐξ ἀνὰ τριάκοντα πέντε κτλ.

eleven days after the close of the Panathenaea.

ἐκ Παναθηναίων εἰς Παναθήναια] *i.e.* for four years. The phrase (with *ἐς* for *εἰς*) occurs in CIA i 32 A 28, B 27 (Hicks, no. 37); 117, 3; 121; 125; 129; 133; 141, &c; 170; 273 (Hicks, no. 46). The greater Panathenaea were held in every third Olympic year, in the same year as the Pythian games. The *loci classici* are collected in Michaelis, *Parthenon*, Anhang 11, 318—333.

τὰς πρὸς τὸν πόλεμον] The offices of στρατηγοὶ and their subordinates, the ἑπάρχος, φύλαρχος and ταξιάρχος. Cf. Gilbert i 220 ff., and Headlam, *On the Lot*, p. 102; *inf.* 61 § 1.

§§ 2, 3. *The Council.* On the subject in general, see Hermann, *Staatsalt.* §§ 125—127; Schömann, *Ant.*, p. 371—9, E. T.; Gilbert, i 251—264; Smith, *Dict. Ant.* i 309.

§ 2. κληροῦται] It was appointment by lot that made the Council consistent with the democratical constitution of Athens and prevented its becoming an oligarchical body of higher authority than the public assembly. The power of the old aristocracy had centred in a Council, and this power was broken down by the introduction of the lot. The Council of 400 under the 'Draconian constitution' is described as appointed by lot (4 § 3). The earliest documentary evidence bearing on this subject is an inscr. of Erythrae, the constitution of which was modelled on that of Athens in B.C. 455—450. It is there ordained for Erythrae (as for Athens) ἀπὸ κυάμων βουλὴν εἶναι (CIA i 9

= Hicks, no. 23). Cf. Headlam, *On the Lot*, pp. 41—56, 86.

πρυτανεύει] 'presides', *i.e.* sits as a superintending sub-committee of the Council. Cf. Harpocr. s. v. πρυτάνεις, Schol. Aeschin. 3 § 3; also Schömann, p. 376, and Gilbert, i 255. Even the order in which the πρυτάνεις held office is determined by lot (cf. Headlam, *l. c.*, p. 51). This fact had already been ascertained by Clinton, *Fasti*, ii 344—6 = 415—8.

αἱ μὲν πρώται κτλ.] The normal Attic year consisting of 354 days, the tenth part would be 35 days, and 4 over. It has been supposed by Gilbert, i 255, that these four days were assigned to the several prytanies by lot. The text states that they were assigned to the first four prytanies, which thus lasted for 36 days, the remaining six lasting for 35 only. This fact was already known to us through Photius, Suidas and the Schol. in Hermogenem, v p. 509; but their authority was set aside on the evidence of the Choiseul Marble, CIA i 188 (Ditt. no. 44), ll. 25—40, B.C. 410/9, where we have express mention of the 36th day of the 8th, 9th, and 10th prytanies. Hence it was inferred by Clinton, *Fasti*, ii 346—418, that the four supernumerary days were assigned to the last tribes and not to the first. While this was clearly the case in B.C. 410, the text shews that, in the writer's time, the latter plan was adopted instead.

The duration of the πρυτανείας is discussed by Unger, *Philol.* 38 p. 425 ff., Usener, *Rhein. Mus.* 34 p. 392 ff., and A. Schmidt, *Gr. Chronologie*, pp. 241, 423 etc.

αἱ δὲ ἐξ αἱ ὕστεραι πέντε καὶ τριάκοντα ἡμέρας ἐκάστη· κατὰ
 10 σελήνην γὰρ ἄγουσιν τὸν ἐνιαυτόν. οἱ δὲ πρυτανεύοντες αὐτῶν 3
 πρῶτον μὲν συσσιτοῦσιν ἐν τῇ θόλῳ, λαμβάνοντες ἀργύριον παρὰ
 τῆς πόλεως, ἔπειτα συνάγουσιν καὶ τὴν βουλὴν καὶ τὸν δῆμον,
 τὴν μὲν [οὖν] βουλὴν ὅσαι ἡμέραι, πλὴν ἐάν τις ἀφέσιμος ᾖ, τὸν δὲ
 δῆμον τετράκις τῆς πρυτανείας ἐκάστης. καὶ ὅσ[α] δεῖ χρηματί-

9—10 κατὰ σελήνην—ἐνιαυτόν del. Lipsius, Herwerden.

10 ἄγουσι H-L.

12 συνάγουσι H-L. καὶ (vel ei?): καὶ τὴν K³, K-W, B: εἰς τὴν K¹, τὴν H-L. 13 ΟΥΝ
 om. Harp. (K-W, H-L, B): retinet K coll. Ar. *Poet.* 1458 a 25 etc (*Ind. Ar.* p. 540 ὁ).
 ΠΛΗΝΕΝΔΑΝ corr. K. 14 ΧΡΗΜΑΤΙΖΕΙ corr. K.

§§ 3, 4, 6 Pollux viii 95, πρυτάνεις: οὗτοι τὴν βουλὴν συνάγουσιν ὅσημέραι, πλὴν
 ἂν τις ᾖ ἀφετος, “τὸν δὲ δῆμον τετράκις” ἐκάστης πρυτανείας: καὶ προγράφουσι πρὸς τῆς
 βουλῆς καὶ πρὸς τῆς ἐκκλησίας ὑπὲρ ὧν “δεῖ χρηματίζειν.” τῶν δ’ ἐκκλησιῶν ἡ μὲν
 κυρία, ἐν ἣ τὰς ἀρχὰς ἐπιχειροτονοῦσιν, ἔπερ καλῶς ἀρχοῦσιν, ἡ ἀποχειροτονοῦσιν· ἐν ἣ
 καὶ τὰς εἰσαγγελίας ὁ βουλόμενος εἰσαγγέλλει, “καὶ τὰς ἀπογραφὰς τῶν δημευομένων”
 ἀναγινώσκουσιν οἱ πρὸς ταῖς δίκαις, “καὶ τὰς λήξεις τῶν κλήρων.” 96, ἡ δὲ δευτέρα
 ἐκκλησία ἀνέεται τοῖς βουλομένοις ἱκετηρίαν θεμένοις λέγεον ἀδεῶς περὶ τε τῶν ἰδίων
 καὶ τῶν δημοσίων· ἡ δὲ τρίτη “κῆρυξι καὶ πρεσβείαις” ἀξιοὶ χρηματίζειν, οὓς δεῖ
 πρῶτον τοῖς πρυτάνευσιν ἀποδοῦναι τὰ γράμματα, ἡ δὲ τετάρτη περὶ ἱερῶν καὶ ὁσίων
 (Frag. 394², 434³). Cf. Schol. in Aeschin. i § 104.

§§ 3, 4. *Harp. κυρία ἐκκλησία... τίνες δὲ αἱ κύρια ἐκκλησίαι Ἄρ. δεδῶλκεν ἐν τῇ
 Ἀθ. πολ. λέγων τοὺς πρυτάνεις συνάγειν “τὴν βουλὴν καὶ τὸν δῆμον, τὴν μὲν βουλὴν”
 ὅσημέραι, “πλὴν—ἐκάστης.” προγράφουσι δὲ φησι καὶ κυρίαν ἐκκλησίαν, ἐν ἣ δεῖ τὰς
 ἀρχὰς ἀποχειροτονεῖν οἱ δοκοῦσι μὴ καλῶς ἀρχεῖν· καὶ περὶ φυλακῆς δὲ τῆς χώρας.
 “καὶ τὰς εἰσαγγελίας—ποιεῖσθαι” φησι καὶ τὰ ἐξῆς (Frag. 395², 435³).

κατὰ σελήνην—ἐνιαυτόν] This ex-
 planation is introduced quite as natu-
 rally as that in the corresponding passage
 of Schömann's *Anz.*, p. 376 E. T., where,
 immediately after defining the duration of
 a prytany, the writer continues: ‘The
 Athenians, it may be explained, had a
 legal lunar year consisting of 12 months of
 29 and 30 days alternately, and therefore
 of 354 days altogether.’ The phrase re-
 minds one of Arist. *Nub.* 626, κατὰ
 σελήνην ὡς ἄγειν χρὴ τοῦ βίου τὰς ἡμέρας,
 and Diog. Laert. i 59 (of Solon), ἡξίωσέ
 τε Ἀθηναίων τὰς ἡμέρας κατὰ σελήνην
 ἄγειν. The explanation (like many others
 in this treatise) would not be needed by
 Athenian readers; but it does not neces-
 sarily follow that it is an interpolation, as
 suggested by Lipsius, *Leipzig Verhandl.*,
 1891, p. 47 n.

§ 3. συσσιτοῦσιν ἐν τῇ θόλῳ] Dem.
F. L. § 190, οἱ πρυτάνεις θύουσιν ἐκάστοτε
 κοινῇ καὶ συνδειπνοῦσιν ἀλλήλοις καὶ συσ-
 πένδουσιν. Ammonius ap. Harpocr. s. v.
 θόλος,—ὁ δὲ τόπος ὅπου ἐστῶνται οἱ πρυ-
 τάνεις καλεῖται θόλος. Cf. Pollux viii
 155; Bekker, *Anecd.* 264. On a special
 emergency the βουλή even passed the
 night there, Andoc. *de Myst.* 45. It was
 also called the σκιάς (Gilbert, i 256, n. 4).
 It was near the βουλευτήριον (Paus. i 5,

1), to the north of the east end of the
 Areopagus (Curtius, *Stadtgeschichte*, p.
 xciii and 171). Thus the πρυτάνεις could
 readily leave the θόλος to attend the
 meetings of the whole body of the Council
 in the neighbouring βουλευτήριον. Cf.
 Wachsmuth, *Stadt Athen*, ii 315.

συνάγουσιν κτλ.] CIA ii 417, 459 and
 elsewhere (of the πρυτάνεις), ἐπεμελήθησαν
 δὲ καὶ τῆς συλλογῆς τῆς τε βουλῆς καὶ τοῦ
 δῆμου καὶ τῶν ἄλλων ὧν αὐτοῖς προσέταττον
 οἱ νόμοι.

ὅσαι ἡμέραι] The manuscript reading
 has been retained, ‘as it facilitates the
 following τις’ (J. B. Mayor). Hitherto
 our earliest authority for this equivalent
 to ὅσημέραι has been Themistius (A.D.
 355), who also has ὅσαι ὥραι in p. 192 D.
 ὅσοι μῆνες occurs in Dem. 744, 25 (L
 and S).

ἀφέσιμος] Aristides i 344 Jebb. The
 large number of such holidays is noticed
 in [Xen.] *de Rep. Ath.* 3, 2. Among
 them were the *Apaturia* (Athen. 171 E),
 the *Thesmophoria* (Arist. *Thesm.* 79), the
Κρονία (Dem. 24 § 26), and the ἀποφράδες
 ἡμέραι (Plut. *Alc.* 34). Gilbert, i 258,
 n. 4.

τετράκις] Elsewhere (Photius, s. v.
 κυρία ἐκκλησία, Schol. Arist. *Ach.* 19 and
 Schol. Dem. 24 § 20) we are told of *three*

ζειν τὴν βουλὴν [[καὶ ὃ τι]] ἐν ἐκάστη τῇ ἡμέρᾳ, καὶ ὅπου καθίζειν, 15
 4 οὗτοι προγράφουσι. προγράφουσι δὲ καὶ τὰς ἐκκλησίας οὗτοι,
 μίαν μὲν κυρίαν, ἐν ᾗ δεῖ τὰς ἀρχὰς ἐπιχειροτονεῖν εἰ δοκοῦσι
 καλῶς ἄρχειν, καὶ περὶ σίτου καὶ περὶ φυλακῆς τῆς χώρας χρημα-
 τίζειν, καὶ τὰς εἰσαγγελίας ἐν ταύτῃ τῇ ἡμέρᾳ τοὺς βουλομένους
 ποιεῖσθαι, καὶ τὰς ἀπογραφὰς τῶν δημονομένων ἀναγιγνώσκειν, καὶ 20
 τὰς λήξεις τῶν κλήρων καὶ τῶν ἐπικλήρων [[ἀναγιγνώσκειν]]. [ὅπως]

15 ΚΑΙΟΤΙ (corr. e ΚΑΙΟΥ) secl. B. ΟΤΙΟΥΚΑΘ...ΕΙ: ὃ τι οὐ καθίκει? K;
 ΟΤΙΟΥΚΑΘΕΙΖΕΙ? ὅπου καθίζειν egregie K-W (B); etiam Herwerden verbum καθίζει hic
 latere suspicabatur. 20, 21 ἀναγιγνώσκειν (bis) K³, H-L (Meisterhans, n. 1238²):
 ΔΑΔΓΙΝ (K, K-W); verbum in v. 21 secl. K-W, B.

§ 4 *Lex. rhet. Cantab. κυρία ἐκκλησία...ἄμεινον οὖν Ἀριστοτέλει <πειθεσθαι>·
 τὰς γὰρ ἀρχὰς ἐν ταῖς κυρίαις ἐκκλησίαις φησὶν ἐπιχειροτονεῖσθαι καὶ τὰς εἰσαγγελίας
 <τὸν βουλούμενον εἰσαγγέλλειν addidit Meier> καὶ τὰ ἄλλα τῶν ἀναγκαίων χρηματίζειν
 “καὶ περὶ σίτου <κα> φυλακῆς τῆς χώρας, καὶ τὰς ἀπογραφὰς—κλήρων.”

meetings in each month, all of them termed κυρία ἐκκλησία. But the text shews that there was only one κυρία ἐκκλησία in each month (§ 4), as already held by Gilbert, i 269, n. 1.

ὅπου καθίζειν] The sessions of the βουλὴ, though ordinarily held in the βουλευτήριον, were occasionally transferred to the Eleusinion, the Theseum or the Panathenaic Stadium, or even to the Acropolis (Gilbert, i 259 n. 1). ὃ τι οὐ καθίκει could only mean ‘what is not suitable’; and such a sense is out of place here. I was once inclined to suggest ὅταν καθήκη, ‘at the proper time,’ lit. ‘whenever the time arrives.’ Dem. p. 399, 6, ἐκκλησίαν ποιῆσαι, ὅταν ἐκ τῶν νόμων καθήκη. Ar. Hist. An. viii 2, 23, ὁ χρόνος καθίκει.

προγράφουσι] CIA ii 61, ἐπειδὴν δὲ ταῦτα παρασκευασθῇ, τοὺς πρυτάνεις προγράψαι περὶ τούτων ἐν βουλευτηρίῳ ὅταν οἶον τε ᾗ.

§§ 4—6. The Public Assembly.

§ 4. προγράφουσι—ἐκκλησίας] Five days notice was given; Bekker, Anecd. 296, 8, πρόπεμπτα (Gilbert, i 270 n. 1).

μίαν μὲν κυρίαν] see note on τετράκις, § 3. The agenda for the κυρία ἐκκλησία were already known through citations of this passage in Harpocr. (Gilbert, i 282).

ἐπιχειροτονεῖν] ‘confirm the election of.’ Harpocr. s. v. καταχειροτονία· ἔθος ἦν Ἀθήνῃσι κατὰ τῶν ἀρχόντων καὶ κατὰ τῶν συκοφαντῶν προβολὰς ἐν τῷ δήμῳ τίθεσθαι· εἰ δὲ τις καταχειροτονηθείη, οὗτος εἰσήγето εἰς τὸ δικαστήριον. For this καταχειροτονία he refers to Theophrastus, ἐν δὲ Νόμων. Cf. Schömann, De Comitibus, p. 231; Ant. 391 E. T. The term προ-

βολή is inaccurately applied to the ἐπιχειροτονία (Meier and Schömann, note 389 Lips.; and Smith, Dict. Ant. ii 492 b).

περὶ σίτου] Xen. Mem. iii 6, 13, πόσον χρόνον ἱκανός ἐστιν ὁ ἐκ τῆς χώρας γιγνώμενος σίτος διατρέφειν τὴν πόλιν, καὶ πόσον εἰς τὸν ἐνιαυτὸν προσδεῖται.

περὶ φυλακῆς] ib. § 10, περὶ γε φυλακῆς τῆς χώρας οἶδ’ ὅτι ἤδη σοι μεμλήκει, καὶ οἶσθα, ὅπόσαι τε φυλακαὶ ἐπικαιροὶ εἰσι καὶ ὅποσαι μὴ, καὶ ὅποσοι τε φρουροὶ ἱκανοὶ εἰσι κτλ. This topic of deliberation is mentioned in Ar. Rhet. i 4 § 10, περὶ φυλακῆς τῆς χώρας μὴ λανθάνειν πῶς φυλάττεται κτλ.: in Pol. 1298 a 3 it is omitted. Cf. CIA ii 225 and 334, εἰς φυλακὴν τῆς χώρας (Gilbert i 282 n. 2).

τὰς εἰσαγγελίας] Such information might either be brought before the βουλὴ, through the πρυτάνεις; or (as here) before the ἐκκλησία, through the θεσμοθέται (c. 59). Cf. Hager in Smith, Dict. Ant. i 709, ii 1067.

τὰς ἀπογραφὰς τῶν δημονομένων] ‘inventories of confiscated property.’ Pol. 1298 a 3, περὶ...δημεύσεως. On ἀπογραφὴ see Meier and Schömann, pp. 304—6 Lips., and Dict. Ant. s. v.

τὰς λήξεις τῶν κλήρων καὶ τῶν ἐπικλήρων] i.e. the legal claims (or ‘lists of suits’) for the right of succession to inheritances, and for that of marrying the daughter of a citizen who has left no son to inherit his estate (56 § 6, κλήρων καὶ ἐπικλήρων ἐπιδικασίαι). Meier and Schömann, pp. 791—4, 606—8, 616 Lips.; Dict. Ant. s.v. Heres, i 947 a and Epicleus, p. 747 a.

ὅπως—ἐξημον γενόμενον] ‘that all may have cognisance of any vacancy in an

μηδένα λάθῃ μηδὲν ἔρημον γενόμενον. ἐπὶ [δὲ] τῆς ἕκτης πρυτα- 5
νείας πρὸς τοῖς εἰρημένοις καὶ περὶ τῆς ὄστρακοφορίας ἐπιχειροτο-
νίαν διδόασιν, εἰ δοκεῖ ποιεῖν ἢ μὴ, καὶ συκοφαντῶν προβολὰς τῶν
25 Ἀθηναίων καὶ τῶν μετοίκων μέχρι τριῶν ἐκατέρ[ων, κἂν τι]ς
ὑποσχόμενός τι μὴ ποιήσῃ τῷ δήμῳ. ἑτέραν δὲ ταῖς ἱκετηρίαις, 6

23 ΗΡΗΜΕΝΟΙΣ. ἐπιχειροτονίαν; idem habet lexicī rhet. Cantabrig. codex a
Dobreo exscriptus (κ, H-L, B): προχειροτονίαν κ-W quod ibidem a Meiero scriptum est.
25 ΕΚΑΤΕΡΑΝ? κἂν τις Blass, Fränkel (H-L, K³); εἰς τις K¹; καὶ εἰς τις κ-W.
26 ἑτέραν δὲ κ, κ-W, B; ἑτέρα δ' ἐστὶ H-L, quod 'spatium non capit' (K³).

§ 5 *ib.* "ἐπὶ δὲ τῆς ἕκτης—ἐπιχειροτονίαν" (προχειροτονίαν edd.) διδοσθαι εἰ δοκεῖ ἢ
μὴ (Frag. 396², 436³). Hesych. κυρία ἐκκλ.: μία κυρία ἐκκλησία ἦγετο Ἀθήνησιν, ἐν ἣ
τὰς ἀρχὰς ἐπιχειροτονεῖν εἶδει.

estate.' This clause refers only to the suits concerning κλήροι and ἐπικλήροι. ἔρημος is a specially appropriate epithet for an estate deprived of its owner, or for children bereft of their father: Plat. *Leg.* 927, εἰς ὄρφανὰ καὶ ἔρημα ὑβρίζουσιν. The object of this public recital was partly to draw attention to any claims on the estate; partly to give due notice to all who were interested in establishing a right of succession.

§ 5. ἕκτης πρυτανείας] In B.C. 410/9, when the Attic year began on July 14, the sixth πρυτανεία began on Jan. 5, B.C. 409 (Clinton, *Fasti*, ii 347=418).

ὄστρακοφορίας] On this occasion the point to be determined was whether there was a case for having recourse to ostracism; if so, a day was fixed for the final voting in the eighth πρυτανεία (Lex. Cant. s. v. ὄστρακισμός; Schol. Arist. *Eg.* 851, and *fragm. Lex. Dem. Aristocr.*; cf. Blass in *Hermes*, 1882, p. 152).

"A. Schmidt, *Gr. Chronologie*, p. 259, seeks to reconcile Aristotle and Philochorus. The date of the ὄστρακοφορία is explained by the desire to settle a dangerous political struggle before the opening of spring, i.e. before the end of Anthesterion. The 6th prytany in an ordinary year is equivalent in general to Gamelion 1—Anthesterion 5. But Philochorus wished to embrace the case of an intercalary year in which the 7th prytany is equivalent in general to Gamelion 22—end of Anthesterion: 'before the eight prytany' means either in the 6th or 7th, for if the principle was that the ostracism was to be proposed in Gamelion or Anthesterion, it might fall in the 7th prytany of an intercalary year. The hypothesis is absurd, for absolutely no reason is suggested why the Athenians should have ostracised men later in the year if it chanced to be intercalary,—to say nothing of other obvious

objections" (Wyse).

συκοφαντῶν προβολὰς] Α προβολή was a preliminary criminal information brought before the public assembly; if the people approved, a trial before an ordinary law-court ensued. This procedure was applied in the case of those who had accused the generals concerned in the battle of Arginusae (Xen. *Hell.* i 7 § 34). The case against Midias began with a προβολή. Cf. Schömann, *De Comititiis*, p. 231 ff., Meier and Schömann, p. 335 Lips., *Dict. Ant.* ii 492 a, 732 a.

For its application in the case of συκοφάνται, cf. Isocr. *Antid.* 314, κατὰ δὲ τούτων (sc. τῶν συκοφαντῶν ἐποίησαν) γραφὰς μὲν πρὸς τοὺς θεσμοθέτας, εἰσαγγελίας δ' εἰς τὴν βουλὴν, προβολὰς δ' ἐν τῷ δήμῳ, and Aeschin. *F. L.* 145, τῶν συκοφαντῶν ὡς κακούργων δημοσίᾳ προβολὰς ποιούμεθα, also Pollux viii 46, προβολαὶ δὲ ἦσαν καὶ αἱ τῆς συκοφαντίας γραφαί.

τῶν μετοίκων] This implies that a μέτοικος could be charged with συκοφαντία. Hence it follows that he was entitled to give information against public offenders. Ordinarily this right was confined to citizens (Plut. *Sol.* 18, ἐξὴν τῷ δυναμένῳ καὶ βουλευμένῳ κτλ.). A foreigner, who desired to accuse a person of any offence against the people, was required to obtain special permission for that purpose, ἀδεία, Andoc. *De Myst.* § 15. Cf. Meier and Schömann, p. 330 Lips.

κἂν τις ὑποσχόμενος κτλ.] Dem. *Lept.* 100, ἔστι δὲ δήπου νόμος ὕμιν, εἴαν τις ὑποσχόμενός τι τὸν δῆμον ἢ βουλὴν ἢ δικαστήριον ἐξαπατήσῃ, τὰ ἔσχατα πάσχειν, and *ib.* 135 (where it is called a νόμος ἀρχαῖος and death is named as the penalty). The procedure began either with a προβολή (as in Xen. *Hell.* i 7 § 35) or an εἰσαγγελία, [Dem.] c. *Timoth.* 49 § 67.

§ 6. ἱκετηρίαις] 'supplications,' formal

[Col. 23.] ἐν ᾗ θεὸς ὁ βουλόμενος ἰκετηρίαν, [ὑπὲρ] ὧν ἂν βούληται || καὶ ἰδίῳ καὶ δημοσίῳ διαλέξεται πρὸς τὸν δῆμον. αἱ δὲ δύο περὶ τῶν ἄλλων εἰσὶν, ἐν αἷς κελεύουσιν οἱ νόμοι τρία μὲν ἱερῶν χρηματίζειν, τρία δὲ κήρυξιν καὶ πρεσβείαις, τρία δ' ὁσίων. χρηματίζουνσιν δ' ἐνίοτε 30

27 ογβογλο corr. K. ΩΝ K: περὶ ὧν Kontos, Lipsius, Gertz, K-W, sed spatium vix duarum litterarum capax vacuum relictum; ὑπὲρ (Υ) ὧν H-L (B). 28 ΔΙΔΕΞΕΤΑΙ: διαλέξεται K (K-W, B); διαλέγεται H-L. 30 κήρυξι H-L. ΤΡΙΑΔΟCΙΩΝ suprascripto CΥΡΑΚΟCΙΩΝ 'corruptumne ex CΑΡΑ Δ ΟCΙΩΝ ut Ar. τέτταρα δ' ὁσίων scripserit?' K-W. χρηματίζουνσι H-L.

petitions.' For θεὸς...ἰκετηρίαν cf. Dem. *de Cor.* 107, οὐχ ἰκετηρίαν ἔθηκε τριῆραρχος οὐδεὶς πώποθ' ὥς ἀδικούμενος παρ' ὑμῖν, c. *Timocr.* 12, ἔθεσαν τὴν ἰκ. ὧν ἦσαν τὰ χρήματα ἄνθρωποι, *ib.* 53; Aeschin. *F. L.* 15, ἰκ. θέντες οἱ οἰκεῖοι ἐδέοντο ὑμῶν. The ἰκετηρία (ράβδος) was an olive-branch bound with wool (Aesch. *Suppl.* 22, 192), which the 'suppliant,' or petitioner, held in his hand before depositing it on the altar in the place of public assembly. Such an application for the right of petition might also be laid before the βουλή, Aeschin. c. *Timarch.* 104. In Andoc. *De Myst.* 110—116, it is laid before the βουλή on the occasion of its session in the Ἐλευσίνιον, although presenting a petition in that place was forbidden, *ib.* 116. Such petitions might include applications for the recovery of civil rights, or for the remission of sentences; and, in general, for exemption from legal penalties. Cf. Dem. c. *Timocr.* 46, τῆς ἀδείας δοθείσης, and see Schömann, *Ant.* p. 397 E.T.; Gilbert, i 294; *Dict. Ant.* i 24 b, 702 a.

αἱ δὲ δύο κτλ.] Pollux, who gives in viii 96 a paraphrase of the present passage and its context, describes the hearing of heralds and embassies as the business of the third ἐκκλησία, while that of the fourth is περὶ ἱερῶν καὶ ὁσίων. This distinction is not in accordance with the text. The latter is confirmed by Aeschines i § 23, πῶς δὲ κελεύει τοὺς προέδρους χρηματίζειν;—προχειροτονεῖν—περὶ ἱερῶν τῶν πατρίων καὶ κήρυξι καὶ πρεσβείαις καὶ ὁσίων. The statement in Pollux may have originated in some confused and fragmentary reminiscence of the constitution in c. 30 § 5, where, in the order of business before the βουλή, the third place is assigned πρεσβείαις, after which they deliberate περὶ τῶν ἄλλων (=ὁσίων).

τρία.] This implies that only three questions under each of the several headings were allowed to be discussed in each πρυτανεία. Similarly in § 5 only three συκοφαντῶν προβολαὶ could be brought

against Athenians, and three against resident aliens. These limitations have been hitherto unknown.

Hartel, *Studien über Urkundenwesen*, cites, as examples of business connected with ritual etc., being brought before the people ἐν ἱεροῖς, CIA ii 325, 352 b, 373 b, and (a decree of the Κήρυκες and Εὐμολπίδαι) 605. On p. 173 ff., he cites the following inscriptions: Ἀθηναίων vi 152 (=Ditt. no. 101, Hicks no. 111) l. 55 (B.C. 347/6 on the πρέσβεις from the sons of Leucon), χρηματίσαι τοὺς προέδρους οἱ ἂν λάχῃσι προεδρεύειν ἐν τῷ δήμῳ τῇ οὐδῶν ἐπὶ δέκα πρῶτον μετὰ τὰ ἱερά. The privilege of access to the βουλή (and in most cases to the δῆμος) μετὰ τὰ ἱερά was granted to Aretus of Colophon (CIA i 36), to the Νεοπολίται (*ib.* 51 *Suppl.* p. 17), to the communities of Mytilene, Colophon and Cythnus (CIA ii 52 c, 164, 233), and to certain individuals named in i b, 34, 206, 209, 289, 316. Cf. Dem. 24 § 25 ff.

ἱερῶν...ὁσίων] 'things sacred and profane.' ὁσια, when contrasted with ἱερά, includes all that is untouched by divine law. Thus, in things concrete, ἱερά would include temples and their treasures; ὁσια, civic buildings and money belonging to the state. Dem. 24 § 9, τῶν ἱερῶν μὲν χρημάτων τοὺς θεοὺς, τῶν ὁσίων δὲ τὴν πόλιν ἀποστερεῖ. The same terms are used to contrast religious and civil privileges, Dem. 23 § 65; 39 § 35; as well as the corresponding legal enactments, as in Lys. 30 § 25, τῶν ὁσίων καὶ τῶν ἱερῶν ἀντιγραφεὺς (see Frohberger's *Lysias*, iii p. 172, and Ruhnken, *Timaeus*, s.v. ὁσια τὰ ἰδιωτικά, καὶ μὴ ἱερά).

κήρυξιν καὶ πρεσβείαις] The construction changes from gen. to dat., as in Aeschin. i § 23, where the order in which the four kinds of business are mentioned is the same as in the text. Foreign envoys were usually introduced to the ἐκκλησία by the βουλή (Aeschin. *F. L.* § 58). Dem. 24 § 150, καὶ κήρυκος καὶ πρεσβείας. Cf. c. 30 § 5.

χρηματίζουνσιν—ἄνευ προχειροτονίας]

καὶ ἄνευ προχειροτονίας. προσέρχονται δὲ καὶ οἱ κήρυκες καὶ οἱ
πρέσβεις τοῖς πρυτάνεσιν πρῶτον, καὶ οἱ τὰς ἐπιστολάς φέροντες
33 τούτοις ἀποδιδόασιν.

44. Ἔστι δ' ἐπιστάτης τῶν πρυτάνεων εἰς ὁ λαχὼν

32 πρυτάνεσι H-L, B.

33 ἀποδιδόασιν H-L.

TESTIMONIA. XLIV §§ 1, 2 * Harp. ἐπιστάτης... δύο εἰσὶν οἱ καθιστάμενοι ἐπιστάται, ὧν ὁ μὲν ἐκ πρυτάνεων κληρούμενος, ὁ δὲ ἐκ τῶν προέδρων, ὧν ἑκάτερος τίνα διοίκησιν διοικεῖ δεδήλωκεν Ἄρ. ἐν Ἀθ. πολ. Lex. Dem. Patm. p. 13 Sakkellion, ἐπιστάτης: οὗτος ἐκ τῶν πρυτάνεων ἐκληροῦτο καὶ ἐπεσάτει "νύκτα καὶ ἡμέραν" μόνον, καὶ οὐκ ἐξῆν δεύτερον τὸν αὐτὸν γίνεσθαι. τὰς δὲ κλεῖς τῶν "ιερώων ἐν οἷς" ἀπέκειτο τὰ χρήματα καὶ τὰ γράμματα τῆς πόλεως... Suidas (e lexico Photiano) ἐπιστάτης: "τῶν πρυτάνεων εἰς ὁ λαχὼν" ἐπιστάτης ἐλέγετο. δις δὲ τὸν αὐτὸν ἐπιστατήσῃ οὐκ ἐξῆν. φυλάσσει δὲ τοῦ ἱεροῦ τὰς κλεῖς ἐν ᾧ τὰ δημόσια χρήματα, ἐπὶ μὴν καὶ τὴν δημοσίαν σφραγίδα (φυλάσσει—σφραγίδα Etym. M. p. 364, 41). ἐπεὶ δὲ οἱ πρυτάνεις "συναγάγῃσι τὴν βουλὴν ἥ τὸν δῆμον," ὁ ἐπιστάτης "κληροῖ προέδρους ἐνέαν," ἀπὸ "φυλῆς ἐκάστης" ἕνα "πλὴν τῆς πρυτανειούσης. καὶ πάλιν" ἐκ τῶν ἐνέαν τούτων ἐπιστάτην ἕνα καὶ τὸ πρᾶγμα (sic) παραδίδωσιν. Telephus ap. Eustath. in Od. p. 455... γίνεται γὰρ φησὶ Ἀθήνησιν ἐκ τῶν πρυτάνεων εἰς ὁς "ἐπιστατεῖ νύκτα καὶ ἡμέραν" μίαν, καὶ πλείων χρόνον οὐκ ἔξεστιν οὐδὲ "δις τὸν αὐτὸν γενέσθαι, τὰς τε κλεῖς <τῶν ἱερῶν> ἐν οἷς τὰ χρηματὰ εἰσι φυλάττει καὶ τὰ γράμματα τῆς πόλεως καὶ τὴν δημοσίαν σφραγίδα. κληροῖ δὲ καὶ προέδρους ἐξ ἐκάστης φυλῆς ἕνα "πλὴν τῆς πρυτανειούσης καὶ πάλιν ἐκ τούτων ἐπιστάτην ἕνα" (Frag. 397², 437³). Pollux viii 96: ἐπιστάτης δ' ἐστὶν εἰς τῶν πρυτάνεων, ὁ κλήρω λαχὼν, δις δ' οὐκ ἔξεστι γενέσθαι τὸν αὐτὸν ἐπιστάτην. ἔχει δὲ οὗτος τῶν ἱερῶν τὰς κλεῖς ἐν οἷς τὰ χρήματα καὶ τὰ γράμματα. καὶ ὅταν οἱ πρυτάνεις τὸν δῆμον ἢ τὴν βουλὴν συνάγῃσιν, οὗτος ἐξ ἐκάστης φυλῆς πρόεδρος ἕνα κληροῖ, μόνην τὴν πρυτανεύουσιν ἀφίει (Frag. 394², 434³).

'Sometimes the members of the ἐκκλησία take the initiative in bringing forward public business, without a preliminary vote (on the question whether it will discuss a proposal on the part of the βουλὴ, or accept it without discussion).' Cf. Harpocr. s.v. προχειροτονία: "...ὁπότεν τῆς βουλῆς προβουλευσάσης εἰσφέρειται εἰς τὸν δῆμον ἢ γνώμῃ πρότερον γίνεται χειροτονία ἐν τῇ ἐκκλησίᾳ πρότερον δοκεῖ περὶ τῶν προβουλευθέντων σκέψασθαι τὸν δῆμον, ἢ ἄρκει τὸ προβούλευμα. In Dem. 24 § 12 (after a προβούλευμα) γενομένης ἐκκλησίας προῦχειροτόνησεν ὁ δῆμος. Cf. Aeschin. i § 23, and see Gilbert, i 276 n. 3.

The course described in the text would involve a departure from the principle laid down by Solon, μηδὲν εἰν ἀπροβούλευτον εἰς ἐκκλησίαν εἰσφέρεισθαι (Plut. Sol. 19). This principle was also virtually set aside when the βουλὴ, without arriving at any conclusion on its own part, referred a question to the ἐκκλησία direct. Thus, on the memorable evening when the messenger arrived with news of Philip's capture of Elateia, the ἐκκλησία had already begun to assemble before the βουλὴ had had time to draw up a preliminary decree; and, the business being urgent, the πρυτάνεις brought it immediately before the assembly (Dem. de

Cor. 170). It was also open to any member of the ἐκκλησία to take the initiative by moving to refer any question to the βουλὴ with a view to a προβούλευμα being drawn up by the latter (Gilbert, i 278 n. 3).

προσέρχονται—τοῖς πρυτάνεσιν πρῶτον] Aeschin. F. L. 58, (the βουλὴ) ταῖς ξενικαῖς πρεσβείαις τὰς εἰς τὸν δῆμον προσόδους προβούλει. On the capture of Elateia, the messenger brought the news ὡς τοὺς πρυτάνεις (de Cor. 169). Cf. Arist. Thesm. 654, ταῦτα τοῖς πρυτάνεσιν ἀγγελλῶ.

XLIV. The Public Assembly, continued.

§ 1. ἐπιστάτης τῶν πρυτάνεων] In the fifth century the ἐπιστάτης τῶν πρυτάνεων actually presided at the meetings of the βουλὴ and ἐκκλησία, and took the sense of the meeting. Thus, in 415 B.C., we find Nicias addressing the President at the Assembly in the words καὶ σὺ, ὦ πρύτανι, ταῦτα... ἐπιψήφισε (Thuc. vi 14). Again, in 406, on the memorable occasion when Socrates refused to put the illegal proposal that the generals concerned with the battle of Arginusae should have judgment passed upon them collectively, his own tribe was the φυλὴ πρυτανεύουσα (Plat. Apol. 32 B), and he

οὗτος δ' ἐπιστατεῖ νύκτα καὶ ἡμέραν, καὶ οὐκ ἔστιν οὔτε πλείων χρόνον οὔτε δις τὸν αὐτὸν γενέσθαι. τηρεῖ δ' οὗτος τὰς τε κλείς τὰς τῶν ἱερῶν ἐν οἷς τὰ χρήματ' ἐστὶν καὶ <τὰ> γράμματα τῇ πόλει, καὶ τὴν δημοσίαν σφραγίδα, καὶ μένειν ἀναγκαῖον ἐν τῇ θόλῳ τοῦτον <τ'> ἐστὶν καὶ τριπλὺν τῶν πρυτάνεων ἢ ἂν οὗτος 5 2 κελεύῃ. καὶ ἐπειδὴν συναγάγῃσιν οἱ πρυτάνεις τὴν βουλὴν ἢ τὸν δῆμον, οὗτος κληροῖ προέδρους ἐννέα, ἕνα ἐκ τῆς φυλῆς ἐκάστης

XLIV 2 οὐκ ἔστι πλείων H-L.

κλῆς K¹, H-L.

6 τοῦτον <τ'> K-W.

3 κλεις (K-W, K³, B; cf. Meisterhans, p. 28²):

4 γράμματα K: <τὰ> γράμματα e gramm. K-W, H-L, B.

6 τοῦτον <τ'> K-W.

§§ 2, 3 *Harp. πρόεδροι ἐκκληροῦντο τῶν πρυτάνεων καθ' ἐκάστην πρυτανείαν εἰς ἐξ ἐκάστης φυλῆς πλὴν τῆς πρυτανευούσης, οἵτινες τὰ περὶ τὰς ἐκκλησίας διόκουσαν... ὅτι δ' ὁ καλούμενος ἐπιστάτης κληροῖ αὐτοῦς, εἰρηκεν Ἀρ. ἐν Ἀθ. πολ. (=Suid. s.v.). Photius (Bekk. An. 290) πρόεδροι: οἱ τὰ περὶ τὰς ἐκκλησίας Ἀθήνησι διοικοῦντες <καὶ τῆς εὐταξίας ἐπιμελοῦμενοι add. Lex. Dem. Patm. p. 12>. εἰς ἐκκληροῦτο ὑπὸ τῶν πρυτάνεων καθ' ἐκάστην ἐκκλησίαν ἐξ ἐκάστης φυλῆς.

was ἐπιστάτης for the day (Xen. Mem. i 1, 18, ἐπιστάτης ἐν τῷ δήμῳ γενόμενος). Cf. Gilbert, i 257 n. 3.

In the fourth century, on the institution of πρόεδροι with an ἐπιστάτης of their own, the duty of presiding in public was transferred to the ἐπ. τῶν προέδρων (Gilbert, *ib.* n. 5), while the ἐπ. τῶν πρυτάνεων discharged the duties stated in the text. As the latter remained in the θόλος for the day and night during which he was in office, he was necessarily precluded from presiding over the ἐκκλησία or the βουλὴ. On the institution of the πρόεδροι, see § 2.

τὰς τε κλείς κτλ.] The keys of the public treasure kept in the ὀπισθόδομος on the Acropolis (Boeckh, III xx). The custody of the keys did not involve any responsibility for the actual management of the fund. The Arg. to Dem. Androt. p. 590 applies to the ἐπιστάτης language of less precision than that in the text: αὐτὸς τὰς κλείς τῆς ἀκροπόλεως ἐπιστεύετο καὶ πάντα τὰ χρήματα τῆς πόλεως. It adds: ἵν' οὖν μὴ ἐρασθῇ τυραννίδος, διὰ τοῦτο μίαν ἡμέραν ἐποίουν αὐτὸν ἀρχαί.

τῶν ἱερῶν does not necessarily imply that the public treasure was kept in more than one temple. Hence the pl. throws no light on the obscure question whether the ὀπισθόδομος of the 'old temple' of Athens between the Erechtheum and Parthenon was at this time still in use, as well as the Parthenon (see Miss Harrison's *Mythology &c of Athens*, p. 505—8). The 'old temple' was burnt in 406 B.C. (Xen. Hell. i 6), and the burning of the ὀπισθόδομος mentioned in Dem. 24

§ 136 may refer to the same event. In B.C. 353 the priestess transferred to the ἐπιστάται (probably the ἐπ. δημοσίων ἔργων) in the archonship of Thudemos certain 'gold ornaments' which were removed from the 'old temple' to the Parthenon (CIA ii 758 II 7). The public records (γράμματα) were preserved in the Μητροῶν near the βουλευτήριον (Aeschin. 3 § 187; Paus. i 3, 5; Lycurg. Leocr. 66). Cf. Curtius, *das Metron*, Gotha, 1868.

δημοσίαν σφραγίδα [Xen.] *de Vect.* 4, 21, ἀνδράποδα σεσημασμένα τῷ δημοσίῳ σημάντρῳ. The seal probably represented an owl or a Gorgon's head. Cf. Curtius, *Abh. d. Berlin Akad.* 1874, p. 88 (Gilbert, i p. 256 n. 2). Both the badges above mentioned may be seen on the extant examples of δικαστῶν πινάκια (c. 63 § 4).

§ 2. πρόεδρους] In the fifth century it was the πρυτάνεις who presided over the βουλὴ and ἐκκλησία in the person of one of their own body who was the ἐπιστάτης τῶν πρυτάνεων and was necessarily a member of the πρυτανεύουσα φυλὴ. Thus, in CIA ii 1 i b, we have two decrees of the year of Euclides, B.C. 403—2. (1) was passed in the prytany of the tribe Pandionis, and the ἐπιστάτης was of the deme of Ὠα, which belonged to that tribe; (2) in the prytany of the tribe Erechtheis, and the ἐπιστάτης was of the deme of Κηδαί belonging to that tribe. As a general rule the deme of the ἐπ. τῶν πρυτάνεων is not specified; it necessarily belongs to the presiding tribe.

In the fourth century the πρόεδροι came into existence. The ἐπιστάτης τῶν πρυτάνεων was deprived of his preeminence

πλὴν τῆς πρυτανευούσης, καὶ πάλιν ἐκ τούτων ἐπιστάτην ἓνα, καὶ
10 παραδίδωσι τὸ πρόγραμμα αὐτοῖς· οἱ δὲ παραλαμβάνοντες τῆς τ' 3

10 πρόγραμμα corrupte mutatum in πῶγμα habet Suidas s. v. ἐπιστάτης. οἱ
K-W, B; οἱ K, H-L.

and obtained in its place the privilege of appointing by lot nine πρόεδροι, one from each of the tribes except his own, and of drawing lots among those nine for one of them to act as the ἐπιστάτης τῶν προέδρων. Under this system, the ἐπ. τῶν προέδρων was necessarily a member of some other than the πρυτανεύουσα φυλή. In CIA ii 17 b (Ditt. no. 64), in the archonship of Nausinicus, B.C. 378/7, though the πρόεδροι are mentioned, the deme of the ἐπιστάτης is uncertain; but in CIA ii 17 (Ditt. no. 63), in the same year, in the prytany of the tribe Hippothontis, the ἐπιστάτης is of the deme Ἀθμονον which belongs to a different tribe, Cécropis. In ii 50 (Ditt. 75), B.C. 368/7, in the prytany of the tribe Aeantis, the ἐπιστάτης belongs to a deme of the tribe Aegeis. In ii 116 (Ditt. 107), B.C. 341/0, in the prytany of the tribe Pandionis, the ἐπιστάτης belongs to another tribe. Between the years 378 and 320 we have in all 24 decrees giving the name of the prytany and the president, and in no case does the deme of the president belong to the φυλή πρυτανεύουσα. For the years between Euclides and Nausinicus (403—378) there is at present no evidence; but it is probable that the change came into force in the latter year, a date of special importance in the financial history of Athens. The aim of the change was clearly to give all the tribes a concurrent share in the superintendence of the βουλή and ἐκκλησία, instead of each tribe having in turn the sole superintendence for the duration of its own prytany. (See esp. Prof. W. W. Goodwin's paper in *Trans. of the American Philol. Association*, 1885, vol. xvi 165—175.)

In the fifth century the formula for describing the president was ὁ δεῖνα ἐπιστάται. From 378 to 347 the same formula is used to denote the ἐπιστάτης τῶν προέδρων, side by side with a new formula, τῶν προέδρων ἐπεψήφισεν ὁ δεῖνα. From 347 onwards the last alone is found (Gilbert, i 257 n. 5).

It was once supposed that the 50 πρυτάνεις were divided into five groups of ten πρόεδροι holding office for one-fifth of a prytany (generally for seven days) and appointing one of their number to serve as ἐπιστάτης for each day. This supposition rested on the Scholia to Aeschin.

c. *Ctes.* 39 and Dem. p. 594, 5, and on the 2nd Arg. to Dem. *Androt.* p. 590. It was accepted in an early work of Schömann (*De Comitibus Ath.*, 1819), where, in the endeavour to reconcile the conflict of evidence, it was suggested that there were two sets of πρόεδροι in existence at the same time, (1) the *proedri contribules*, belonging to the same tribe as the πρυτάνεις, and forming a subdivision of that body; and (2) the *proedri non-contribules*, belonging to a different tribe to that of the πρυτάνεις.

Nearly three centuries earlier it was held by Sigonius (1529—1584) in his *De Atheniensium Republica*, that wherever the πρόεδροι were mentioned, they were the nine who were not of the same tribe. This opinion was accepted by K. F. Hermann (1843), who noticed further that the πρόεδροι are never mentioned until after the time when one of the πρυτάνεις used to preside in the Assembly. Hence the πρόεδροι (*non-contribules*) were a later institution, and the *proedri contribules* were a merely imaginary body. Schömann's earlier view survived in Grote, c. 31, iii 118, but it had meanwhile been abandoned by Schömann himself, in favour of Hermann's view which is conclusively confirmed by the text. See Schömann, *Ant.* p. 377 E.T.

Some confusion has arisen from the fact that Harpocration, s. v. πρόεδροι, implies that the πρόεδροι held office during the whole of each prytany, whereas the text, which he professes to follow, really describes them as appointed by lot for each meeting of the βουλή or ἐκκλησία. The most accurate citation of the text is that preserved by Telephus ap. Eustath. on *Od.* 17, 455, and by Suidas, s. v. ἐπιστάτης, art. 2. On the general question see Goodwin l. c., and Gilbert i 257 (with the authorities there quoted); also Caillemer on *Boule* in Daremberg and Saglio, i 740—1, and Chavannes on *Epistates*, ib. iii 700; and Wayte in Smith's *Dict. Ant.* i 320—1, and on Dem. *Timocr.* § 21.

ἐπιστάτην] s. v. τῶν προέδρων. He is mentioned as presiding (1) at the βουλή in Aeschin. c. *Timarch.* 104, βουλευτῆς ὢν καὶ προεδρεύων, and in CIA ii 168 (B.C. 333) τῶν προέδρων ἐπεψήφισεν, and similarly in ii 179 (B.C. 325) about the time

εὐκοσμίας ἐπιμελοῦνται, καὶ ὑπὲρ ὧν δεῖ χρηματίζειν προτιθέασιν, καὶ τὰς χειροτονίας κρίνουσιν, καὶ τὰ <τ> ἄλλα πάντα διοικοῦσιν. καὶ τοῦ [τ'] ἀφεῖναι κύριοί εἰσιν. καὶ ἐπιστατῆσαι μὲν οὐκ ἔξεστιν πλέον ἢ ἅπαξ ἐν τῷ ἐνιαυτῷ, προεδρεύειν δ' ἔξεστιν ἅπαξ ἐπὶ τῆς πρυτανείας ἐκάστης.

4 ποιοῦσι δὲ καὶ ἀρχαιρεσίας στρατηγῶν καὶ ἱππάρχων καὶ τῶν ἄλλων τῶν πρὸς τὸν πόλεμον ἀρχῶν ἐν τῇ ἐκκλησίᾳ, καθ' ὃ τι ἂν τῷ δήμῳ δοκῇ. ποιοῦσι δ' οἱ μετὰ τὴν ἕκτην πρυτανεύοντες ἐφ' ὧν

.ΔΕΙΚ(ΔΙ).

11 ΔΕΙΧΗΜΑΤΙΖΕΙΝ: δεῖ χρηματίζειν K, H-L, B: χρηματίζειν δεῖ K-W. 12 τὰ <τ> K-W. 13 τ' delent Richards, Blass, K-W, B; in δ' mutat Hude; τὴν ἐκκλησίαν Rutherford (H-L). 14 ἔξεστι H-L. ΠΛΕΙΟΝ (K-W, B): πλέον H-L, K³, Meisterhans, p. 120². 16 ΔΕΚ(ΔΙ)ΔΕΚΑΡΧ: delevi ΔΕΚ e ΔΕΚ(ΔΙ) male iterato exortum, idem fecerunt Blass, Fränkel, K-W, H-L, K³; etiam in versu propinquo (18) dittographiae vitium denuo apparet ΜΕΤΑΤΑΤΗΝ (μετὰ τὴν).

when this treatise was written; (2) at the ἐκκλησία, *id. c. Ctes.* 39, τὸν δ' ἐπιστάτην τῶν προέδρων διαχειροτονίαν διδόναι τῷ δήμῳ, *F. L.* 82, (Demosthenes) λαγχάνει προεδρεύειν and (84) ἀναστὰς ἐκ τῶν προέδρων οὐκ ἔφη τὸ ψήφισμ' ἐπιψηφίειν, *cf. ib.* 68.

τὸ πρόγραμμα] 43 § 3, προγράφουσι.

§ 3. εὐκοσμίας ἐπιμελοῦνται.] In the previous century the same duties had been performed by the πρυτάνεις with the aid of the τοξόται: *Arist. Thesm.* 923, 929—946, and esp. 854, εἰ μὴ κοσμίως ἔξεις ἕως ἂν τῶν πρυτάνεων τις φανῇ. The πρόεδροι as well as the πρυτάνεις are named in *Aeschin. c. Ctes.* 4, τῆς τῶν ῥητόρων ἀκοσμίας οὐκέτι κρατεῖν δύνανται οὐθ' οἱ νόμοι οὐθ' οἱ πρυτάνεις οὐθ' οἱ πρόεδροι οὐθ' ἡ προεδρεύουσα φυλή.

The phrase ἐπιμελεῖσθαι εὐκοσμίας is found in *Pol.* 1299 b 16 and 19 (*cf.* 1321 b 14 and 20); also in *Isocr. Arator.* 37.

προτιθέασιν] 48 § 2; *Xen. Mem.* iv 2, 3, τῆς πόλεως λόγον προτιθέσης. In *Aeschin. F. L.* 65 we have the exceptional proposal that, at the first of two ἐκκλησίαι, there should be a debate; and that, at the second, the πρόεδροι should put the question to the vote, λόγον δὲ μὴ προτιθέναι. In the fifth century this was the duty of the πρυτάνεις. *Thuc.* vi 14, ὃ πρύτανι... γνώμας προτίθει αὖθις, iii 36, 4; 42, 1.

χειροτονίας] *Aeschin. c. Ctes.* 3, ἂν δέ τις τῶν ἄλλων βουλευτῶν ὄντως λαχῇ κληρούμενος προεδρεύειν καὶ τὰς ὑμετέρας χειροτονίας ὀρθῶς ἀναγορεύῃ κτλ.

ἀφεῖναι.] *Arist. Ach.* 173, οἱ γὰρ πρυτάνεις λύουσι τὴν ἐκκλησίαν. *Dem. Timocr.* § 26 (during the Κρόνια), ἀφεμένης τῆς βουλῆς.

ἐπιστατῆσαι.] *sc.* τῶν προέδρων. In

Dittenberger, *Inscr.* nos. 98 and 101, we have two decrees in the same prytany of B.C. 347—6, in both of which Θεόφιλος Ἀλιμουσίος ἐπεσάται. It was rightly inferred by A. Schaefer that both were passed at the same meeting of the ἐκκλησία. The text shews that no one could be ἐπιστάτης ὧν προέδρων more than once in each year.

§ 4. στρατηγῶν] 61 § 1. ἱππάρχων, 61 § 4. τῶν ἄλλων, 61 §§ 3, 5. *Cf.* *Aeschin. c. Ctes.* 13, (ἀρχάς) ὅς ὁ δῆμος εἰώθε χειροτονεῖν ἐν ἀρχαιρείαις, στρατηγὸς καὶ ἱππάρχος καὶ τὰς μετὰ τούτων ἀρχάς, also *Xen. Mem.* iii 4, 1; *Dem.* 23 § 171; *Plut. Phoc.* 8.

οἱ μετὰ τὴν ἕκτην πρυτανεύοντες] The author of the 2nd Arg. to *Dem. Androt.* p. 590 erroneously states that the ἀρχαιρείαι fell on the last four days of the Attic lunar year of 354 days. But, as observed by Schömann, *Ant.* 390 E.T., they could not possibly have been held so late in the year: they must necessarily have taken place much earlier, so as to allow time for the δοκιμασία. It has been inferred by Köhler (*Monatsb. d. Akad. d. W.*, Berlin, 1866, p. 343), that they were held in the first ἐκκλησία of the ninth prytany. This inference is drawn from an inscription of the time of the 12 tribes (after B.C. 307), CIA ii 416, in which the ἀρχαιρείαι are fixed κατὰ τὴν μαντείαν for the 22nd day of Munichion (early in May), corresponding (in the time of the 10 tribes) to the beginning of the ninth prytany (see also Gilbert's *Beiträge*, pp. 5—13, and Busolt in Müller's *Handbuch*, iv 1 152). The text shews that the election was held in the seventh prytany. This would bring

ἀν εὐσημία γένηται. δεῖ δὲ προβούλευμα γενέσθαι καὶ περὶ
20 τούτων.

45. ἡ δὲ βουλὴ πρότερον μὲν ἦν κυρία καὶ χρήμασιν ζημιῶσαι
καὶ δῆσαι καὶ ἀποκτείνειν. — καὶ Λυσίμαχον αὐτῆς ἀγαγούσης

19 ΓΕΝΕΣΘΑΙ Κ, H-L, B: γίνεσθαι K-W.

XLV 1 χρήμασι H-L.

2 post ἀποκτείνειν lacunam indicant K-W.

three days before the end of Gamelion (the first six prytanies containing 214 and the first seven months 217 days), and would mainly correspond to the month Anthesterion (middle of February to middle of March).

This statement has a direct bearing on the story of Sophocles being appointed στρατηγός against Samos &c owing to the success of his *Antigone* (on the authorities for the story, see Jebb's *Introd.* p. xliii). If the play was produced at the Great Dionysia (10—15 Elaphebolion = March—April), i.e. late in March, B.C. 441, the ordinary election of στρατηγοί for the ensuing official year had already taken place a month before. We must therefore either infer that the story is false; or that the date of the election was exceptionally delayed in that year owing to inauspicious weather; or that, at that time, the ἀρχαιρεσταί fell later than was the case in B.C. 325. If the election of Sophocles took place a month before the Great Dionysia, and was prompted by the success of the *Antigone*, the play must have been performed at the Great Dionysia of the previous year, in which case eleven months must have elapsed before the election. But by that time the impression produced by the play would have become appreciably weaker, and the story would have lost its point. On the bearing of the date of election on the 'deposition of Pericles,' see Mr Marchant in *Class. Rev.* v 165.

εὐσημία] 'on whatsoever days there are signs of fair weather.' εὐσημία is found in Hippocr. 1170; εὐσημος in *Meteor.* p. 363 a 27, γέγραπται τοῦ μάλ-
λον εὐσημῶς ἔχειν ὁ τοῦ ὀρίζοντος κύκλος.

The proviso is one of practical importance in the case of a large meeting on an open hill-side like that of the Pnyx. Even when the ordinary ἐκκλησίαι came to be held in the theatre of Dionysus (e.g. in 290 B.C.), the Pnyx continued to be the scene of the ἀρχαι-
ρεσταί (Pollux viii 133).

When the δῆμος was desiring to elect Cleon as στρατηγός, there was thunder and lightning, an eclipse of the moon and

afterwards one of the sun, Arist. *Nub.* 581 —6 (and Schol.). Presumably amid all these portents the election was deferred. In Thuc. v 45 *ult.* an ἐκκλησία is adjourned because of an earthquake. Even a drop of rain was sufficient to be regarded as a 'sign from heaven,' διοσημία 'οὔτι καὶ βάνις βέβληκέ με (*Ach.* 171). Cf. Suidas, s.v. προβούλευμα κτλ.] In accordance with the general principle ordained by Solon, Plut. *Sol.* 19, μηδὲν εἰς ἀπροβουλευτον εἰς ἐκκλησίαν εἰσφέρεισθαι.

XLV—XLIX. The functions of the Council.

XLV § 1. κυρία—ζημιῶσαι] The βουλὴ was not competent to inflict a higher fine than 500 dr., Dem. c. *Euerg.* p. 1152 § 43, (after an εἰσαγγελία) ἐν τῷ διαχειροτονεῖν ἢ ἡ βουλὴ πρότερα δικαστηρίῳ παραδοίῃ ἢ ζημιώσει ταῖς πεντακοσίαις, ὅσου ἦν κυρία κατὰ τὸν νόμον. In a decree drawn up about 446 B.C. any encroachment on the *Πελαργικὸν* is punished by a fine of 500 dr., to be inflicted after an εἰσαγγελία has been brought before the βουλὴ by the archon βασιλεὺς (Ditt. no. 13, 59).

δῆσαι] Arist. *Thesm.* 943, ἔδοξε τῇ βουλῇ σε δεῖν. A limitation to this right is mentioned in the oath taken by the Council in Dem. c. *Timocr.* 144, οὐδὲ δῆσω Ἀθηναίων οὐδένα, δς ἂν ἐγγυητὰς τρεῖς καθιστῇ τὸ αὐτὸ τέλος τελούντας· πλὴν ἐάν τις ἐπὶ προδοσίᾳ τῆς πόλεως ἢ ἐπὶ καταλύσει τοῦ δήμου σινιών ἄλλῳ ἢ τέλει τι πριάμενος ἢ ἐγγυησάμενος ἢ ἐκλέγων μὴ καταβάλλῃ. It is there stated that this oath was in the interest of untried persons to give them every opportunity for preparing for their defence. In § 148 we are told that 'Solon' made the Council ἄκυρον τοῦ δῆσαι, i.e. did not grant them an absolute right of imprisonment, but a limited right subject to proper bail being found. In certain cases, however, bail was not allowed, and in these the Council's right was not barred. See also 22 § 2 and 48 § 1.

Cleophon was imprisoned by the Council and then handed over to the dicastery (Lys. 30 § 10); he was condemned to death by a court consisting of

ὥς τὸν δῆμιον *καὶ αὐθημερόν* ἤδη μέλλοντα ἀποθνήσκειν Εὐμη-
λίδης ὁ Ἀλωπεκῆθεν ἀφείλετο, οὐ φάσκων δεῖν ἄνευ δικαστηρίου
γνώσεως οὐδένα τῶν πολιτῶν ἀποθνήσκειν· καὶ κρίσεως ἐν δικα- 5
στηρίῳ γενομένης ὁ μὲν Λυσίμαχος ἀπέφυγεν καὶ ἐπωνυμίαν ἔσχεν
ὁ ἀπὸ τοῦ τυπάνου, ὁ δὲ δῆμος ἀφείλετο τῆς βουλῆς τὸ θανατοῦν
καὶ δεῖν καὶ χρήμασι ζημιοῦν, καὶ νόμον ἔθετο, ἄν τινος ἀδικεῖν
ἢ βουλὴ καταγνώῃ ἢ ζημιώσῃ, τὰς καταγνώσεις καὶ τὰς ἐπιζημιώ-
σεις εἰσάγειν τοὺς θεσμοθέτας εἰς τὸ δικαστήριον, καὶ ὅ τι ἂν οἱ 10
δικασταὶ ψηφίσωνται, τοῦτο κύριον εἶναι.

Col. 24.] 2 κρίνει δὲ || τὰς ἀρχὰς ἢ βουλὴ τὰς πλείστας, μάλισθ' ὅσαι
χρήματα διαχειρίζουσιν· οὐ κυρία δ' ἢ κρίσις, ἀλλ' ἐφέσιμος εἰς

3 καθήμενον ἤδη μέλλοντα ἀποθν. K, K-W, H-L; καθήμενον ἤδη <καὶ> μέλλοντα ἀποθν.
J B Mayor: legendum fortasse καὶ αὐθημερόν ἤδη μέλλοντα ἀποθν. cf. Aeschin. I § 16
(lex) παραδοθεὶς τοῖς ἑνδεκα τεθνάτω αὐθημερόν. 3, 5 ΑΠΟΘΝΗΣΚΕΙΝ: ἀποθνήσκειν
K-W, H-L, K³, B, cf. Meisterhans, p. 141², n. 1234. 3 ΕΥΜΗΛΕΙΔΗΣ (B coll.
Φιλομηλείδης Od. ρ 134): Εὐμηλίδης K-W, H-L, K³. 4 ΑΛΩΠΕΘΗΚΕΝ corr. K.
5 <τῷ> δικαστηρίῳ K-W, idem in c. 46, 10 et c. 55, 7 τῷ non inserunt. 6 ἀπέ-
φυγε H-L. ΕΣΧΕΝ: ἔσχε B, εἶχεν K. 8 εἰς H-L. 9 ἐπιζημιώσεις
(nusquam alibi inventum) K, K-W, B: ζημιώσεις Wyse, H-L. 13 ΕΣΤΡΕΦΙΣΜΟΣ?;
ἐφέσιμος K, K-W, B; ἔτ' ἐφέσιμος H-L.

the Council and a dicastery, *ib.* 11, and
13 § 12 (Newman).

Λυσίμαχον] possibly the person of that
name mentioned in Xen. *Hell.* ii 4, 8,
(the Thirty) Λυσίμαχον τὸν ἱππάρχον ἐκέ-
λευον ἀναγαγόντα παραδοῦναι αὐτοὺς τοῖς
ἑνδεκα. On the restoration of the democ-
racy his services to the Thirty may well
have been remembered against him.

καὶ αὐθημερόν—ἀποθνήσκειν] *Hist.*
An. 603 a 15, ἀποθνήσκουσιν αὐθημερόν,
398 a 35, 568 b 21.

One Sosias had a similarly narrow
escape: Antiphon 5 § 70, ὁ ἀνὴρ ἀπήχθη
(MSS, ἀνήχθη Dobree, ἀπελύθη Kayser,
ἀπηλλάχθη Baiter; ἀφείλετο, in the text,
suggests ἀφηρεῖν) ὑπὸ τοῦ δήμου τοῦ
ὑμετέρου παραδεδομένους ἤδη τοῖς ἑνδεκα.

Εὐμηλίδης] The only passage where
the name is found, as that of an Athenian,
is [Dem.] 49 § 11, τῷ παιδί τοῦ Εὐμηλίδου.
The date of the speech is B.C. 362.

ἀφείλετο] here 'rescued him.' It is
used below in another sense: 'deprived
of the power of.'

ὁ ἀπὸ τοῦ τυπάνου] 'the man who
escaped the bastinado,' Schol. Arist.
Plut. 476, τύπανα...ξύλα, δι' ὧν τοὺς
καταδίκους ἔτυπον, and Photius, s. v.
τύπανον. Cf. Lys. 13 § 56, ὡς ἀνδρο-
φόνον ὄντα—τῷ δὴμῳ παρέδοτε καὶ ἀπε-
τυπανίσθη, *ib.* 67, 68; and Dem. 9 § 61.
This form of punishment was inflicted on

κακοῦργοι, including ἀνδροφόνου. This
confirms the conjecture that Lysimachus
was arraigned for taking part in causing
citizens to be put to death under the
Thirty (Xen. *l. c.*). The restriction in
the powers of the βουλῇ mentioned in this
chapter has already been noticed in more
general terms in c. 41, αὶ τῆς βουλῆς κρίσεις
εἰς τὸν δῆμον ἐληλύθασιν, a passage referring
to the time subsequent to the archonship
of Euclides. Even before that time the
βουλὴ did not necessarily enforce its right
of inflicting penalties, but sometimes ex-
ercised the option of referring the case to
a law-court, cf. CIA i 59, (τὴν βουλὴν)
κολάζειν τῶν δωροδοκῶντων καταψηφι-
ζομένην, καὶ εἰς δικαστήριον αὐτοὺς εἰσάγειν,
καθότι ἂν δοκῇ αὐτῇ.

ἐπιζημιώσεις] not found elsewhere. τὰ
ἐπιζήμια is used of 'penalties' in Dem.
and Plato; ἐπιζημιῶν, in Xen. *Hell.*
v 2 § 22; ἐπιζημία, in Pollux viii 149.
θεσμοθέτας] 59.

§ 2. κρίνει τὰς ἀρχὰς] Antiphon, 6
§ 49, πυθόμενος αὐτοὺς (the πορισταί,
πωληταί, πρακτοῖς and ὑπογραμματοεῖς)
δεινὰ καὶ σχέτλια ἐργάζεσθαι, εἰσῆγον εἰς
τὴν βουλὴν.

ἐφέσιμος] [Dem.] 7 § 9, ταῦτα δὲ κύρια
ἔσσεσθαι οὐκ ἐπειδὴν ἐν τῷ δικαστηρίῳ τῷ
παρ' ὧν κυρωθῇ...ἀλλ' ἐπειδὴν ὡς ἐαυτὸν
ἐπανεχθῇ, ἐφέσιμον τὴν παρ' ὧν γένο-
μένην γνώσιν ὡς ἐαυτὸν ποιούμενος. Lucian,

τὸ δικαστήριον. ἔξεστι δὲ καὶ τοῖς ιδιώταις εἰσαγγέλλειν ἢν ἂν
15 βούλωνται τῶν ἀρχῶν μὴ χρῆσθαι τοῖς νόμοις. ἔφεσις δὲ καὶ
τούτοις ἐστὶν εἰς τὸ δικαστήριον, ἐὰν αὐτῶν ἡ βουλή καταγῶ.

δοκιμάζει δὲ καὶ τοὺς βουλευτάς τοὺς τὸν ὕστερον ἐνιαυτὸν 3
βουλευσοντας καὶ τοὺς ἐννέα ἄρχοντας. καὶ πρότερον μὲν ἦν
ἀποδοκιμάσαι κυρία, νῦν δὲ <καὶ> τούτοις ἔφεσις ἐστὶν εἰς τὸ
20 δικαστήριον.

τούτων μὲν οὖν ἄκυρός ἐστιν ἡ βουλή. προβουλεύει δ' εἰς τὸν 4
δῆμον, καὶ οὐκ ἔξεστιν οὐδὲν ἀπροβουλευτον οὐδ' ὅ τι ἂν μὴ
προγράψωσιν οἱ πρυτάνεις ψηφίσασθαι τῷ δήμῳ· κατ' αὐτὰ γὰρ
ταῦτα ἐνοχός ἐστιν ὁ νίκησας γραφῇ παρανόμων.

46. ἐπιμελεῖται δὲ καὶ τῶν πεποιημένων τριήρων καὶ τῶν
σκευῶν καὶ τῶν νεωσοίκων, καὶ ποιεῖται καινὰς [[δὲ]] τριήρεις ἡ

19 <καὶ> τούτοις K-W, B.

XLVI 2 δὲ secl. κ (edd.).

23 κατὰ γὰρ ταῦτα Kontos, H-I; v. Dem. 20 § 96.

pro *Imaginibus* 15, ἐφέσιμον ... δίκην.
Pollux viii 125, (κρίσιν) ἐφέσιμον.

εἰσαγγέλλειν] probably here used in
the general sense of bringing to the know-
ledge of the Council, without reference
to the special process called εἰσαγγελία.
The procedure in the latter case is de-
scribed by Dr Hager in *Dict. Ant. s. v.*,
i 709 a.

§ 3. δοκιμάζει—βουλευτάς] Dem. *Mid.*
111, βουλευέν μου λαχόντος δοκιμαζομένου
κατηγόρει, *Nlaer.* 3, λαγχάνει βουλευέν
Ἀπολλόδοτος· δοκιμασθεῖς δὲ καὶ ὁμόσας
τὸν νόμιμον ὄρκον κτλ. Two of the
speeches of Lysias are concerned with
the δοκιμασία of a βουλευτής: *Or.* 31,
κατὰ Φίλωνος, is a speech for the prose-
cution; *Or.* 16, ὑπὲρ Μαντιθέου, for the
defence. § 9 of the latter speech shews
the wide scope of the scrutiny in such
cases: ἐν δὲ ταῖς δοκιμασίαις δίκαιον εἶναι
παντὸς τοῦ βίου λόγον διδόναι.

ἄρχοντας] Lys. *Or.* 26, κατ' Εὐάνδρου,
is a speech in accusation of one who was
appointed by lot to be First Archon in
reserve. The case was heard on the last
day but one of the preceding official year
(midsummer, B.C. 382). The next day
was a public holiday, and, in the event
of his rejection, an appeal was im-
possible: § 6, δικαστήριον...οὐ δυνατόν
πληρωθῆναι. Dem. *Lept.* 90 asserts that
the junior archons underwent a double
δοκιμασία:—τοὺς θεσμοθέτας δις δοκιμα-
σθέντας ἄρχειν ἐν τε τῇ βουλῇ καὶ παρ' ὑμῖν
ἐν τῷ δικαστηρίῳ. The δοκιμασία before
the βουλή is called an ἀνάκρισις in Dem.
Eubul. 66; it is described as affecting all

the archons (*ib.* 70). Cf. c. 55 § 2.

§ 4. οὐδὲν ἀπροβουλευτον] Plut. *Sol.*
19, quoted on c. 44 *ult.*

προγράψωσιν] 43 § 3 *ult.*

γραφῇ παρανόμων] Here the illegality
turns on a point of form. Among cases
in point are the motion of Androtion to
award a crown to the outgoing βουλή
(Dem. *Androt.* 5); and that of Thrasyl-
bulus to grant Lysias the citizenship of
Athens (note on 40 § 2).

XLVI § 1. τῶν τριήρων] Gilbert,
i 261 n. 4.

τῶν σκευῶν] esp. of 'naval stores and
engines,' and 'the tackling of ships.'
[Dem.] 47, c. *Euerg.* § 19, σκεύη τριηρικὰ.
Xen. *Oec.* viii 12, διὰ πολλῶν...ἐξυλίνων
σκευῶν ('oars,' 'rudders,' 'masts,'
'yards') καὶ πλεκτῶν ('cables') ὁρμίζεται
ναῦς καὶ ἀνάγεται, διὰ πολλῶν δὲ τῶν
κρεμαστῶν ('sails' and 'rigging') καλου-
μένων πλεῖ. The specifications of the
famous σκευοθήκη in the Peiraeus, designed
by the architect Philon under the ad-
ministration of Lycurgus, are still extant
(CIA ii 1054=Ditt. no. 352). This
σκευοθήκη was intended τοῖς κρεμαστοῖς
σκεύεσιν, and (though not finished) was
probably already in use in B.C. 329, a
few years before the text was written.
Cf. Dürnbach, *Lycurgus*, pp. 64—73.

τῶν νεωσοίκων] Strictly speaking the
νεώσοικοι are the sheds in which the
ships are laid up, and νεώρια the dock-
yards; but the terms are sometimes inter-
changed (cf. *Dict. Ant.* ii 206 a, and
Dürnbach, *l.c.* p. 65, n. 3). In [Xen.]
de Rep. Ath. iii 2, among the duties of

τετρήρεις, ὁποτέρας ἂν ὁ δῆμος χειροτονήσῃ, καὶ σκεύη ταύταις καὶ νεωσοίκους. χειροτονεῖ δ' ἀρχιτέκτονας ὁ δῆμος ἐπὶ τὰς ναυς· ἂν δὲ μὴ παραδῶσιν ἐξεργασμένα ταῦτα τῇ νέᾳ βουλῇ, τὴν 5
Col. 25.] λαμβάνουσιν. || ποιεῖται δὲ τὰς τριήρεις, δέκα ἄνδρας ἐξ ἀ[πάντων]
2 ἑλομένη τριηροποιοῦς. ἐξετάζει δὲ καὶ τὰ οἰκοδομήματα τὰ δημόσια πάντα, καὶν τις ἀδικεῖν αὐτῇ δόξῃ τῷ τε δήμῳ τοῦτον [ἀπ]οφαίνει καὶ καταγνόντος παραδίδωσι δικαστηρίῳ.

10

5 ἐὰν H-L. 7 ἀ[πάντων] K, H-L: ἐαυτῆς Wayne, ἀ[υτῶν] K-W, B coll. 48, 13.
10 ΚΑΤΑΓΝΟΨΙΣ K, H-L: καταγνόντος K-W, B. <τῷ> δικαστηρίῳ Gennadios, Naber (H-L, idem τῷ non addunt in c. 45, 5 et c. 55, 7).

the βουλῇ we find νεωρίων ἐπιμεληθῆναι. From B.C. 347 to 323 an annual property tax amounting to ten talents was raised for the building τῶν νεωσίκων καὶ τῆς σκευοθήκης (CIA ii 270).

καινὰς τριήρεις] Twenty, according to Diod. xi 43. In B.C. 356/5 the Council failed to build the requisite number of new triremes; Androtion nevertheless moved that they should receive the customary compliment of a golden crown; and for this he was attacked under a γράφῃ παρανόμων (Dem. Androt. 8).

ἡ τετρήρεις] In the list of the fleet for B.C. 330/29 eighteen quadriremes are mentioned: CIA ii 807 b 76—79, τετρήρεις δ' ἐμὲν τοῖς νεωρίοις παρέδομεν ΠΙΙΙ, ἐμὲν πλὴν δὲ Δ. For the three years between B.C. 334/3 (ib. 804) and the above date the lists are missing. The earliest notice of quinqueremes is in B.C. 325/4, when seven are mentioned, ib. 809 d 90, the list for the previous year (ib. 808 d 36) giving quadriremes, as well as triremes, but no quinqueremes (Boeckh, *Seurkunden*, p. 76). The archonship of Cephisophon, B.C. 329/8, is mentioned in c. 54 § 7. Hence the date of the treatise falls after B.C. 328, and before 325, the year in which quinqueremes appear for the first time (C. Torr in *Athenaeum*, Feb. 7, 1891; and Lipsius in *Leipzig Verhandlungen*, 1891, p. 45).

ἀρχιτέκτονας] 'naval architects,' or 'master ship-builders.' These are not mentioned elsewhere, but the names of 35 such persons are known to us from inscriptions (Boeckh, *Seurkunden*, pp. 93—100). The ἀρχιτέκτων of Dem. *de Cor.* § 28 is a different kind of official, — the manager of the Theatre of Dionysus.

παραδῶσιν] οἱ βουλευταί. τὴν δωρεάν] Dem. Androt. § 8, (νόμου) οὐκ ἐῷντος ἐξ-

εἶναι μὴ ποιησαμένη τῇ βουλῇ τὰς τριήρεις αἰτῆσαι τὴν δωρεάν (=τὸν στέφανον, ib. 36).

τριηροποιοῦς] In Dem. Androt. 17 the treasurer of this body is mentioned: οὐχ ἡ βουλῇ γέγονεν αἰτία τοῦ μὴ πεποιῆσθαι τὰς ναυς, ἀλλ' ὁ τῶν τριηροποίων ταμίς ἀποδράς ὥχeto ἔχων πένθ' ἡμιτάλαντα. The reference to the τριηροποιοὶ in Aeschin. c. Ctes. 30 implies that they were an ἀρχὴ αἰρετῇ: οὐς αἱ φυλαὶ καὶ αἱ τριτῦες καὶ οἱ δῆμοι ἐξ ἐαυτῶν αἰροῦνται τὰ δημόσια χρήματα διαχειρίζειν. This last passage suggests that they were chosen by the tribes out of candidates nominated by the demes: the text implies that the choice rested with the βουλῇ. Probably the latter ratified, as a matter of course, the selection made by the tribes. Among similar commissioners elected by the tribes, may be mentioned the τειχοποιοὶ and the ταφροποιοὶ; the ἀποστολεῖς were certainly elected ἐξ Ἀθηναίων ἀπάντων (Gilbert, i 250).

§ 2. οἰκοδομήματα. The inspection of public buildings has not hitherto been known to be one of the functions of the βουλῇ. But it is naturally connected with their duty of letting τεμένη καὶ ἱερὰ καὶ οἰκίας, [Xen.] *de Vect.* iv 19.

ἀποφαίνει] 'formally denounces,' 'reports.' Ant. *de Chor.* 9, ἀποφῆναι καὶ ἐξελέγξασιν, Lys. 20 § 7 (οἱ κατήγοροι) ἀδικοῦντας ἀποφαίνουσι, and Dinarch. c. Dem. 48, κάμου κατέγνω πρότερον ἡ βουλῇ (the Areopagus), and ib. 49, ἀπέφηνεν ἡ βουλῇ.

παραδίδωσι δικαστηρίῳ] CIA i 59, (B.C. 410), [τὴν βουλὴν βουλευσῶν] ἐν τῇ πρώτῃ ἐδ[ρᾷ] ἐν τῷ βουλευτηρίῳ καὶ κολλάζειν τῶν δωρο[δοκησάντων καταψ]ηφισομένην, καὶ εἰς δικασ[τήριον] αὐτοῦς εἰσάγειν, καθότι ἂν δοκῇ αὐτῇ· τῶν δὲ δικαστῶν τοὺς] παρόντας ἀποφαίνειν, κτλ.

47. συνδιοικεῖ δὲ καὶ ταῖς ἄλλαις ἀρχαῖς τὰ πλείστα. πρῶτον μὲν γὰρ οἱ ταμίαι τῆς Ἀθηνᾶς εἰσὶ μὲν δέκα, κλ[ηροῦται] δ' εἰς ἐκ τῆς φυλῆς, ἐκ πεντακοσιομεδίωνων κατὰ τὸν Σόλωνος νόμ[ον] (ἔτι γὰρ ὁ νόμος κύριός ἐστιν), ἄρχει δ' ὁ λαχὼν κἂν πάνυ πένης 5 ᾧ. παραλαμβάνου[σι δὲ τ]ό τε ἄγαλμα τῆς Ἀθηνᾶς καὶ τὰς Νίκας καὶ τὸν ἄλλον κόσμον καὶ τὰ χρ[ήματ]α ἐναντίον τῆς βουλῆς.

XLVII 2 κληροῦται δ' Gertz (edd.): κληρωτοὶ κ¹. 2, 7 κληροῦνται δ' εἰς ἐκάστης φυλῆς Wyse coll. 61, 2; —ἐκ τῆς φυλῆς <ἐκάστης> Bury. 6 'χρήματα ἱερά τε καὶ δημόσια Phot. et Bekk. An.' K-W.

TESTIM. § 1 *Harp. ταμίαι... ἀρχή τις παρ' Ἀθηναίους ἦν οἱ ταμίαι δέκα τὸν ἀριθμὸν. παραλαμβάνουσι δ' οὗτοι "τό τε ἄγαλμα—βουλῆς," ὡς φησὶν Ἀρ. ἐν Ἀθ. πολ. Phot. (Bekk. An. 306, 7): ἄρχοντες εἰσιν Ἀθήνησι κληρωτοὶ ἀπὸ τῶν πεντακοσιομεδίωνων, οἱ τὰ ἐν τῷ ἱερῷ τῆς Ἀθηνᾶς ἐν ἀκροπόλει χρήματα ἱερά τε καὶ δημόσια φυλάττουσιν, ἀλλὰ καὶ αὐτὸ τὸ ἄγαλμα τῆς Ἀθηνᾶς <καὶ τὸν κόσμον add. Bekk. An. l. c.>. Pollux viii 97: ταμίαι τῆς θεοῦ κληρωτοὶ μὲν ἐκ πεντακοσιομεδίωνων ἦσαν, τὰ δὲ χρήματα παρελάμβανον τῆς βουλῆς παρούσης.

XLVII § 1. οἱ ταμίαι τῆς Ἀθηνᾶς] The full title is ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηνᾶς. This is found in the inventories of the treasures in the Parthenon, the Hecatompedos and the Pronaos (CIA i 117—175), and in the records of payments from the treasure of Athena for public purposes (*ib.* 179, 180, 188). Cf. Hicks, *Hist. Inscr.* nos. 50, 51, 53, 54. The short title, ταμίαι τῶν τῆς θεοῦ, is found in *inscr.* of 325 (Boeckh, *Seurkunden*, p. 465). See Boeckh II v; Schömann, p. 418; Gilbert, i 234; and cf. note on 30 § 2, ταμίαι τῶν ἱερῶν χρημάτων κτλ.; also Panske, *de Magistratibus Atticis*, 1890, i pp. 13—46.

Σόλωνος νόμ[ον] § 1, κληροῦν τοὺς ταμίαις ἐκ πεντακοσιομεδίωνων.

ἄρχει δ' ὁ λαχὼν κτλ.] Solon's law regulating the qualification was practically obsolete. Cf. c. 7 *ult.*

παραλαμβάνουσι κτλ.] The accounts of the treasures transferred in each year were annually audited; they were also inscribed on blocks of stone once in four years (ἐκ Παναθηναίων ἐς Παναθήναια).

τὸ ἄγαλμα] The statue is not mentioned in our inventories; but from B.C. 385 there is proof of the existence of a separate specification respecting it. This was kept in the temple and the treasurers certified in each year that the statue and its appurtenances were all safe κατὰ τὴν στήλην (Köhler in *Mittheilungen*, 1879, p. 89, quoted by Hicks, p. 89). The ἄγαλμα is incidentally named in CIA ii 652, 42 (B.C. 398).

τὰς Νίκας καὶ τὸν ἄλλον κόσμον] About 435/4 B.C. the treasures of the Parthenon included golden figures of Νίκη, CIA i 32, B 2, τὰς Νίκας τὰς

χρυσᾶς καὶ τὰ π[ομπεία]. The number was probably ten. About 407/6 eight of these were melted down and made into gold coin, the καὶνὸν χρυσίον of Arist. *Ran.* 720 (see Schol.). Seven of the pedestals of these figures were still in existence between 377 and 367 (CIA ii 678, 47). In the earliest inventory after the archonship of Euclides a χρυσὴ Νίκη is mentioned (CIA ii 642). This Νίκη, which was nearly two talents (52 kilogr. = 115 lb.) in weight, was probably made out of the proceeds of the confiscated property of the Thirty (Michaelis, *Parthenon*, p. 301). The same Νίκη is entered in an inventory of the ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηνᾶς καὶ τῶν ἄλλων θεῶν, who existed as a joint body from about 403 to 389 B.C., to be separated again in 385. It is also named in CIA ii 677, B.C. 367.

Under the financial administration of Lycurgus (B.C. 338/7—326/5) part of the surplus of the public revenues was spent on preparing a number of golden Νίκαι, which were set apart among the treasures on the Acropolis. The decree of Stratoles, preserved in [Plut.] ii 852, recites that Lycurgus αἰρεθεὶς ὑπὸ τοῦ δήμου χρήματα πολλὰ συνήγαγεν εἰς τὴν ἀκρόπολιν καὶ παρασκευάσας τῇ θεῷ κόσμον Νίκας τε ὀλοχρύσους πομπεία τε χρυσὰ καὶ ἀργυρὰ καὶ κόσμον χρυσοῦν εἰς ἑκατὸν κανηφόρους (cf. *ib.* *vit.* Lycurg. § 5, πομπεία τε χρυσὰ καὶ ἀργυρὰ τῇ πόλει κατεσκεύασε καὶ Νίκας χρυσᾶς, and Paus. i 29, 16, κατεσκεύασε δὲ πομπεία τῇ θεῷ καὶ Νίκας χρυσᾶς καὶ παρθένους κόσμον ἑκατὸν). It was in B.C. 334 that, according to the λόγος ταμιῶν τῆς θεοῦ and a special commission acting with them, part of the surplus handed over by the ταμίαι τῶν

2 ἔπειθ' οἱ πωληταὶ δέκα μὲν εἰσι, κληροῦνται δ' εἰς ἐκ τῆς
 φ[υλῆς. μισ]θοῦσι δὲ τὰ μισθώματα πάντα καὶ τὰ μέταλλα
 πωλοῦσι, καὶ τὰ τέλη [μετὰ τ]οῦ ταμίου τῶν στρατιωτικῶν καὶ
 τῶν ἐπὶ τὸ θεωρικὸν ἡρημένων ἐναντίον τῆς [βουλῆς] κατακυροῦσιν 10
 ὅτῳ ἂν ἡ βουλὴ χειροτονήσῃ καὶ τὰ πραθέντα μέταλλα, [τὰ τ']
 ἐργάσιμα τὰ εἰς τρία ἔτη πεπραμένα, καὶ τὰ συγκεχωρημένα τὰ

11 μέταλλα [ῥσα] κ;.....ει H-L (in papyro scriptum non εἰ, sed ἀρ vel ἀγ vel
 αἰ; μ. τὰ τ' K-W (B), ΜΕΤΑΛΛΑ ΤΑΤΑΡΕΡΓ deletis ἀρ sec. K-W). In archetypo
 erat fortasse τὰ τ ἀργά κ τὰ ἐργάσιμα. 12 συγκεχωρημένα Poland, Busolt.

§§ 2, 3 *Harp. πωληταί: οἱ μὲν πωληταὶ ἀρχὴ τίς ἐστὶν Ἀθήνῃσι, δέκα τὸν ἀριθμὸν
 ἄνδρες, εἰς ἐκ φυλῆς ἐκάστης. διοκοῦσι δὲ τὰ πιπρασκόμενα ὑπὸ τῆς πώλεως πάντα, τέλη
 καὶ μέταλλα καὶ μισθώσεις καὶ τὰ δημεύόμενα... διέλεκται δὲ περὶ αὐτῶν καὶ Ἀρ. ἐν Ἀθ.
 πολ. Fere eadem in Bekk. *An.* 291, 17 et Lex. Dem. Patm. p. 14. Pollux viii 99:
 πωληταὶ τὰ τέλη πιπράσκουσι "μετὰ τῶν ἐπὶ τὸ θεωρικὸν ἡρημένων," καὶ τὰς "τῶν ἐξ
 Ἀρείου πάγου" μετὰ τὸν πρότερον λόγον φυγόντων οὐσίας καὶ τὰ δεδημευμένα (Frag.
 401², 441³).

στρατιωτικῶν was spent εἰς τὰς Νίκ[ας
 καὶ] τὰ π[ομ]πεία (CIA ii 739). These
 may be identified with certainty as the
 Νίκαι of the text. κόσμος refers in part
 to the κόσμος κανηφορικός (CIA ii 162,
 frag. c 10), including δίφροι, ὑποδερίδες
 (necklaces), ἀμφιδέαι (bracelets), and
 στέφανοι (ii 741 B c 3—5). Cf. Michaelis,
Parthenon, p. 292; Boeckh, note 719
 Fränkel; Foucart, *Les Victoires en or de
 l'Acropole*, Bull. de corr. hellén. xii 283—;
 and Dürrbach, *Lycurgue*, pp. 80—91.

§ 2. πωληταί] Hermann, *Staatsalt.*
 § 151, 2; Schömann, p. 417; Gilbert,
 i 227; Panske, *de Magistratibus Atticis*,
 i p. 10.

μισθοῦσι κτλ.] 'farm out the public
 contracts.' Thus the contracts for
 setting up tablets inscribed with public
 documents (σῆλαι) were let out by the
 πωληταί (Ditt. no. 13, 51; 43, 35; 45, 8).
 The contract for building the walls of
 Athens in 334—326 is let out by the
 same body (CIA ii 167).

τὰ μέταλλα πωλοῦσι] By the 'sale of
 the mines' is meant the sale of the right
 of working them. The 'purchaser,' who
 may be more correctly described as the
 lessee, paid a fixed price together with
 one twenty-fourth part of the net produce
 as a perpetual tax. The ordinary price
 of a share was one talent. See Boeckh,
On the Silver Mines of Laurium, Appen-
 dix to *Publ. Econ.*, ed. Lewis. In CIA
 ii 780—783, and 782 b (p. 513), we have
 fragments of διαγραφὰ μετὰλλων drawn
 up by the πωληταί.

τὰ τέλη] Most of the tolls, customs
 and taxes were farmed by τελῶναι
 (Boeckh, iii viii; Gilbert, i 335; *Dict.*
Ant. s.v.).

τοῦ ταμίου τῶν στρατιωτικῶν] The
 management of military finances, which,
 in the fifth century, had been entrusted
 to the ἑλληνοταμίαι, was entrusted in B.C.
 338 to a new officer called the ταμίης τῶν
 στρατιωτικῶν. The first to hold this office
 was Callias, the brother-in-law of Lycur-
 gus ([Plut.] *Vit. Lyc.* § 27). It was
 supposed by Boeckh (ii vii) that it was
 immediately after the archonship of
 Eucleides that the ἑλληνοταμίαι were
 superseded by the ταμίαι τῶν στρ. and
 the superintendents of the theoric fund.
 But as late as 347 B.C. we find the
 ἀποδέκται described as making payments
 ἐκ τῶν στρατιωτικῶν χρημάτων (*Ἀθῆν.*
 vi 152), which implies that the ταμίαι
 τῶν στρ. was not yet in existence (A.
 Schaefer in *Rhein. Mus.* xxxiii 431,
 quoted by Gilbert i 237 n. 3, and *Dem. u.*
s. Zeit. 11² 307 n. 2). In Boeckh, n. 317,
 Fränkel assigns 347 as the date when
 this office was instituted; but he is op-
 posed by Hartel, *Studien*, p. 132 (Dürr-
 bach, *Lycurgue*, p. 32). It is at present
 therefore impossible to assume any earlier
 date than 338 for its institution.—The
 same official took part in superintending
 the Panathenaic games (49 § 3).

τῶν ἐπὶ τὸ θεωρικόν] These financial
 officers were apparently instituted under
 the administration of Eubulus, between
 354 and 339. The plural here decides
 the question whether there was only one
 official of the name, or more. Boeckh
 (ii vii, p. 249²) supposed that there were
 ten. The pl. in Aeschin. c. *Ctes.* 25, οἱ ἐπὶ
 τὸ θ. κεχειροτονημένοι used to be under-
 stood of successive holders of the office.
 Cf. Gilbert, i 230.

τρία ἔτη] It has hitherto been supposed

εἰς <τρία> ἔ[τη] πεπραμένα. καὶ τὰς οὐσίας τῶν ἐξ Ἀρείου
πάγου φευγόντων καὶ τῶν [ὀφείλε]τῶν ἐν[αντίον τῆς] βουλῆς
15 πωλοῦσιν, κατακυροῦσι δ' οἱ ἐννέα ἄρχοντες· καὶ τὰ τέλη τὰ εἰς
ἐνιαυτ[ὸν] πεπραμένα, ἀναγράψαντες εἰς λελευκωμένα γραμματεῖα
τόν τε πριάμενον καὶ [ὅσου] ἂν πρίηται, τῇ βουλῇ παραδιδόασιν.
ἀναγράφουσιν δὲ χωρὶς μὲν οὓς δεῖ κατὰ πρυ[τ]ανείαν ἐκάστην 3
καταβάλλειν εἰς δέκα γραμματεῖα, χωρὶς δ' οὓς τ[ρὶς τοῦ] ἐνιαυτοῦ,

13 εἰς . ἔτη κ³, K-W, 'εἰς γ' ἔτη dubitanter nunc legit κ', εἰς τρία ἔτη B: [εἰς αἰε] H-L.

14 [ὀφείλε]τῶν? κ³: [ἐξ ἔφε]τῶν dubitanter K-W; ἀτίμων (quod quondam conieci) acceperunt H-L; ἀλλ (i.e. ἄλλως vel ἄλλοθεν) post τ(ων) agnoscī posse putat B qui τῶν [ἀλλοθεν] ἐπ[αντίον] dedit.

17 [ὀπόσου] Tyrrell, H-L: ὅσου spatio aptius K-W, κ³, B. 18 τὴν ante πρυτανείαν ins. B. 19 τ[ρὶς τοῦ] K-W, B; τ[ελοῦντος] κ¹, τέ[λει τοῦ] κ²³; πρὸ τέλους H-L.

that the state never let the mines for a term of years, but only granted them on perpetual leases (Boeckh's *Silver Mines of Laurium*, § 7, p. 645).

We have already been told that the πωλῆται 'sell the mines.' We are now told that they lease for a term of three years, not only the mines that are still workable, but also those that are the subject of special concessions. It is observed by Boeckh, *l. c.* p. 646, that it could 'scarcely have been compulsory upon a tenant to pay to the state the purchase money of a new mine, if, after having expended his trouble and capital, he was unsuccessful in finding any ore.' It may therefore be here suggested that a term of three years was fixed for a provisional letting of the lease, and that the annual payment of $\frac{1}{24}$ was not due until the three years had elapsed. Possibly the original purchase money was in the first instance paid conditionally, and was recovered in the event of no ore being found. In the other event, at the end of the three years the provisional lease would be 'confirmed' in the presence of the βουλή.

In connexion with the mines, a period of 'three years' is mentioned in Hyperides, *Eux.* col. xlv, and [Dinarchus] fragm. in Baier and Sauppe, *Oratores Attici*, ii 325 b 4; but it seems to have no bearing on the present passage.

τὰ συγκεχωρημένα.] possibly mines 'let under a special agreement' without the previous payment of purchase money. It has been suggested, however, that some word contrasted with ἐργάσιμα is needed, such as συγκεχωσμένα, exhausted mines with heaps of scoriae accumulated near them. Such mines, if they had reverted in any way to the state, would

have to be 'sold' for a very much smaller sum. In CIA ii 782, shortly after the time of Lycurgus, we find mention of a (μέταλλον) παλαιὸν ἀνασάξιμον, 'an old mine reopened and worked afresh,' which is sold in the second πρυτανεία (*ib.* 780) for the small sum of 150 dr.

τῶν ἐξ Ἀρείου πάγου φευγόντων] In trials before the Areopagus a person accused of wilful murder might (except in cases of parricide) withdraw from Attica 'after delivering his first speech' (Dem. 23 § 69), and thus avoid the penalty of death (Pollux, viii 117). Such a person was never allowed to return; and, when any decree was passed to sanction the restoration of exiles, there was a special clause excluding οἱ ἐξ Ἀρείου πάγου φεύγοντες, Plat. *Leg.* 871 D. Their property was confiscated, Dem. 23 § 45, τῶν ἀνδροφόνων τῶν ἐξεληλυθότων, ὧν τὰ χρήματα ἐπίτιμα.

τῶν ὀφειλετῶν] If a debt to the treasury remained unpaid at the ninth prytany, it was doubled and the debtor's property sold (Andoc. *De Myst.* 73; Dem. c. *Nicostr.* p. 1255 § 27; c. *Neaer.* p. 1347 § 7).

λελευκωμένα γρ.] [Dem.] 46 § 11, (γρ.) λελευκωμένον. Lys. 9 § 6, (of a fine) γράψαντες εἰς λεύκωμα τοῖς ταμίαις παρέδοσαν. Dem. 24 *Timocr.* 23, (of a new law) ἀναγράφας εἰς λεύκωμα. Bekker, *Anecd.* p. 277, λεύκωμά ἐστι πίναξ γύψῳ ἀληγιμένος, πρὸς γραφὴν πολιτικῶν γραμμάτων ἐπιτήδειος.

§ 3. καταβάλλειν...καταβολήν] of payment by instalments, as in [Dem.] c. *Neaer.* 27, ἐωρημένος τὴν πεντηκοστὴν τοῦ σίτου...καὶ δέον αὐτὸν καταβάλλειν τὰς καταβολὰς εἰς τὸ βουλευτήριον κατὰ πρυτανείαν, c. *Timocr.* 98, αἱ τὸν τελὼν καταβολαί.

γραμματεῖον κατὰ τὴν καταβολὴν ἐκάστην ποιήσαντες, χωρὶς δ' 20
οὓς [ἐπὶ] τῆς ἐνάτης πρυτανείας. ἀναγράφουσι δὲ καὶ τὰ χωρία
καὶ τὰς οἰκίας [τὰ ἀπογραφ]έντα καὶ πραθέντα ἐν τῷ δικαστηρίῳ.
καὶ γὰρ ταύθ' οὗτοι πωλ[οῦσιν. ἔστι] δὲ τῶν μὲν οἰκίων ἐν πέντε
ἔτεσιν ἀνάγκη τὴν τιμὴν ἀποδοῦναι, τῶν δὲ χωρίων ἐν δέκα.
4 καταβάλλουσιν δὲ ταῦτα ἐπὶ τῆς ἐνάτης πρυτανείας. εἰσ[φέ]ρει 25
δὲ καὶ ὁ βασιλεὺς τὰς μισθώσεις τῶν <τε>μενῶν ἀναγράφας ἐν
γραμματε[ίοις λελευκ]ωμένοις. ἔστι δὲ καὶ τούτων ἡ μὲν μίσθωσις

22 [τὰ ἀπογραφ]έντα Wyse, K-W, H-L, K³; τάπογρ. B; τ[ὰ μισθωθ]έντα K¹.
23 [ἔστι] δὲ K-W, K³, B: καὶ H-L. 25 καταβάλλουσιν H-L. εἰσφέρει K-W,
K³, B: παραδίδωσι quondam Paton (H-L). 26 τ(ων) Μ(ΕΝ)ΩΝ: τῶν τεμενῶν
Wyse, Blass, (K-W, H-L, K³). 27 suppleverunt Jackson, van Leeuwen (edd.).

ἐνάτης πρυτανείας] The time when the purchase-money for the τέλη was paid: Dem. *Timocr.* 93, 98.

ἀπογραφέντα] In CIA i 274—281 we have the accounts rendered by the πωληταὶ for property (probably that of the Ἐρμοκοπίδαι) which had been confiscated and sold by the state. See also CIA ii 777, and 779 (τάδ' ἐπράθη ἐδάφη ἀτίμητα ὄντα); also 811 col. c 183—195, κατεβλήθη ἐξ ἀπογραφῆς, ἥς ἀπέγραψεν—τοῦτο κατεβλήθη πρὸς πωλητὰς τοὺς ἐφ' Ἡγησίου ἀρχοντος, B.C. 324/3; cf. Boeckh, *Seurkunden*, p. 543.

πέντε...δέκα] These details have been hitherto unknown. The only definite statement about the rent of a house is in Isaeus i 1 § 42, where a house in Melite worth 30 minas, and another at Eleusis worth 5, jointly produce an annual rent of 3 minas; so that in less than 12 years the occupant would have paid the value of the houses. In the same passage an estate at Thria, worth 150 minas, produces 12 minas per annum; so that in 12½ years the occupant would have paid the value of the estate.

§ 4. ὁ βασιλεὺς] The functions of this archon being mainly religious, he is here described as responsible for bringing the leases of sacred enclosures to the knowledge of the Council. Cf. CIA iv fasc. 2, 53 a (quoted by Wyse, *Class. Rev.* v 275 a): (418/7 B.C.) v. 3 sqq. Ἀδοῖσιος εἴπε· εἶρξαι τὸ ἱερὸν τὸ Κόδρου καὶ τὸ Νηλέως καὶ τῆς Βασιλῆς (Plat. *Charm.* 153 A) κ[αὶ] μισθῶσαι τὸ τέμενος κατὰ τὰς συγγραφάς, οἱ δὲ πωληταὶ τὴν εἶρξ[ιν] ἀπομισθώσαντων, τὸ δὲ τέμενος ὁ βασιλεὺς ἀπομισθώσάτω κατὰ [τ]ὰς συγγραφάς τὸ δὲ ἀργύριον ἐς τὴν εἶρξιν ἀπὸ τοῦ τεμένους εἶναι, πρᾶξαι δὲ ταῦτα πρὶν ἢ ἐξίναί τι τὴν βουλὴν ἢ

εὐθύνεσθαι χιλίαισι δραχμῇσι ἕκαστον κατὰ τὰ εἰρημένα. v. 11 sqq.: Ἀδοῖσιος εἶπε· τὰ μὲν ἄλλα καθάπερ τῇ βουλῇ· ὁ δὲ βασιλεὺς μ[ισθωσάτω] καὶ οἱ πωληταὶ τὸ τέμενος τὸ Νηλέως καὶ τῆς Βασιλῆς κα[τὰ] τὰς συγγραφάς εἴκοσι ἔτη. τὸν δὲ μισθωσάμενον εἶρξαι τὸ [ε]ρὸν τὸ Κόδρου καὶ τὸ Νηλέως καὶ τῆς Βασιλῆς τοῖς ἐαυτοῦ τέλεσιν. ὁπ[ό]σον δ' ἂν ἀλφῃ μ[ισθωσ]ωσιν τὸ τέμενος κατὰ τὸν ἐναυτὸν ἕκαστον, καταβαλλέτω τὸ ἀργύριον ἐπὶ τῆς ἐνάτης πρυτανείας τοῖς ἀποδέκται[s], οἱ δὲ ἀποδέκται τοῖς ταμίαις τῶν ἄλλων θεῶν παραδιδόντων κατὰ τὸν νόμον. ὁ δὲ βασιλεὺς ἐὰν μὴ ποιῇ τὰ ἐψηφισμένα ἢ ἄλλος τις οἷς προστέτακται περὶ τούτων, ἐπὶ τῆς Αἰγυπιοῦ πρυτανείας, εὐθυνέσθω μυρήσι δραχμῇσιν. τὸν δὲ ἐ[ω]νημένον τὴν ἰλὸν ἐκκομίσασθαι ἐκ τῆς τάφρου ἐπὶ τῇσδε τῆς βουλῆς ἀποδόντα τὸ ἀργύριον τῷ Νηλεῖ ὅσον ἐπρίατο. ὁ δὲ βασιλεὺς ἐξαλει[ψ]άτω τὸν πριάμενον τὴν ἰλὸν ἐπειδὰν ἀποδῷ τῇμ μίσθωσιν, τὸν δὲ μισθωσάμενον τὸ τέμενος καὶ ὅπσον ἂν μισθώσθαι ἀντεγγραφάτω ὁ βασιλεὺς ἐς τὸν τοῖχον καὶ τοὺς ἐγγυητὰς κατὰ τὸν νόμον ὅσπερ κείται (περὶ) τῶν τεμενῶν. Cf. J. R. Wheeler in *American Journal of Archaeology*, iii, nos. 1 and 2.

The βασιλεὺς is associated with other officials in an inscr. of B.C. 329, Ἐφ. Ἀρχ. iii, 1883, p. 110 B 29, [τῶν τεμενῶν] ἂ ἐμισθωσαν ὁ βασιλεὺς καὶ οἱ πάρεδροι καὶ οἱ ἐ[πι]στάτ[αι] οἱ Ἐ[λε]υσινίωθεν καὶ οἱ ἐπιμεληταὶ τῶν μιστηρίων.

τὰς μισθώσεις τῶν τεμενῶν] [Dem.] 43 § 58, τοὺς μὴ ἀποδιδόντας τὰς μισθώσεις τῶν τεμενῶν. Didymus ap. Harpocr. s.v. ἀπὸ μισθωμάτων (Isocr. *Areop.* 11)... ἐκ τῶν τεμενικῶν προσδόν. [Xen.] *de Vect.* iv 19, μισθοῦνται γούν καὶ τεμένη καὶ ἱερὰ καὶ οἰκίας, καὶ τέλη ὠνοῦνται παρὰ τῆς πόλεως. Plat. *Leg.* 759 E.

εἰς ἔτη δέκα, καταβάλλεται δ' ἐπὶ τῆς [ἐνάτης] πρυτανείας· διό
καὶ πλείστα χρήματα ἐπὶ ταύτης συλλέγεται τῆς πρυ[τα]νείας.
30 εἰσφέρεται μὲν οὖν εἰς τὴν βουλὴν τὰ γραμματ[εῖα τὰ] τὰς κατα-
βολὰς ἀναγεγραμμένα, τηρεῖ δ' ὁ δημόσιος· ὅταν δ' ᾗ χρ[ημάτων]
καταβολή, παραδίδωσι τοῖς ἀποδέκταις αὐτὰ ταῦτα καθε[λῶν ἀπὸ]
τῶν] ἐπιστυλίων ὧν ἐν ταύτῃ τῇ ἡμέρᾳ δεῖ τὰ χρήματα καταβλη-
[θῆν]αι [καὶ ἀ]παλειφθῆναι· τὰ δ' ἄλλα ἀπόκειται χωρὶς ἵνα μὴ
35 προεξ[αλ]ειφθῇ].

48. [εἰσὶ] δ' ἀποδέκται δέκα, κεκληρωμένοι κατὰ φυλ[άς].

30 κ? τας, καὶ per errorem scriptum putat K: [τὰ] τὰς K-W, B; πάντων τὰς H-L sed spatium non sinit. 32 καθε[λῶν] ἀπ[ὸ τῶν] van Leeuwen (H-L, K³, B): καθελ[ῶν] ἐκ [τῶν] K-W sed λ incertum et ἐκ valde dubium putat K. 33 Δεῖ, ante τὰ χρήματα K³, K-W, B: om. H-L. καταβληθῆναι καὶ K-W, K³, B: καταβληθέντα δεῖ H-L. 34 ἀλειφθῆναι corr. K. 35 προεξ[αλ]ειφθῇ K³, K-W, B: προεξ[αλ]ειφθῆναι H-L.

TESTIMONIA. XLVIII §§ 1, 2 *Harp. ἀποδέκται... Ἄρ. δ' ἐν τῇ Ἀθ. πολ. δεδήλωκεν ὡς δέκα τε εἶσαν καὶ ὡς "πααραβόντες—χρήματα" τῆς βουλῆς ἐναντίον "ἐν τῷ—δημοσίῳ." καὶ ἀπλῶς ἃ πράττουσι διασαφεῖ. Bekk. An. 198, 1 (Etym. M. 124, 41;

ἔτη δέκα] CIA ii 1059 (=Inscr. Brit. Mus. p. 24 xiii), in B.C. 321, μισθοδοσι Πειραιεὺς Παράλιον καὶ Ἀλμυρίδα καὶ τὰλλα τεμένη ἅπαντα for a term of ten years. The same term of years is recorded in a lease granted by a φρατρία in B.C. 300 (ib. 600), and also in an Attic inscr. relating to some land in Delos and Rheneia belonging to the Delian temple, CIA i 283 (B.C. 434). Wyse (Class. Rev. v 275 b) quotes a Delian inscr. of B.C. 250: ἐμισθώσαμεν δὲ καὶ τὰ τεμένη τὰ τοῦ θεοῦ εἰς ἔτη δέκα κατὰ τὴν ἱερὴν συγγραφὴν (Homolle, Les Archives de l'Intendance Sacrée à Délos, p. 19 n. 1).

πλείστα—πρυτανείας] It may further be noticed that all who had not paid their debts to the treasury by this date (the penultimate prytany of the Attic year) had their property sold by the state (see note on ὀφειλετῶν, supra, § 2).

§ 5. ὁ δημόσιος] 'the public clerk'; slaves were employed as ἀντιγραφεῖς or 'checking-clerks.' Dict. Ant. s.v., and Gilbert, i 323 n. 3.

ἀποδέκταις] 48 § 1. αὐτὰ ταῦτα, sc. τὰ γραμματεῖα.

ἐπιστυλίων] It has been suggested that this term is metaphorically applied to the 'columns' in the list of accounts (Class. Rev. v 181 b); but obviously it cannot mean 'columns' at all, but something that rests upon them. In architecture the ἐπιστύλιον is generally the 'architrave' (Plut. Per. 13 § 5; Vitruv. iv 3 § 4, 'supra epistylum conlocandi

sunt triglyphi cum suis metopis'; CIG 4608 (A.D. 151), παραστάδας καὶ κίονια καὶ τὰ ἐπάνω αὐτῶν ἐπιστύλια καὶ ψαλίδας): it is even said to be sometimes used of the whole of the entablature (Smith, Dict. Ant. s.v. ad fin.), but I know of no authority for this statement.

In the present passage I should understand it to mean a shelf supporting a series of 'pigeon-holes,' and itself supported by wooden pedestals, in the office of the public clerk. The entablature in Doric architecture, with its originally open metopes alternating between the triglyphs, may well have suggested a metaphorical term for a shelf of 'pigeon-holes' used for the preservation of public documents. K-W translate it *repositorium* or *loculi*. Haussoullier suggests a modern parallel in 'certains bureaux turcs (bureaux de douane ou de santé), où les papiers sont serrés dans les sacs que l'on accroche aux poutres et que l'on décroche au moyen d'un long bâton.'

προεξ[αλ]ειφθῇ] not found elsewhere. ἐξαιλεῖν, however, is found as a synonym of ἀπαλεῖν, being applied to annulling laws and decrees (in Lys. i § 48, and Andoc. De Myst. 76), and to cancelling debts (in Dem. 25 § 70, ἐξαληπται τὸ ὄφλημα, and CIA i 32, 10, ἀποδόντων τὰ χρήματα καὶ ἐξαλειφόντων). Cf. CIA iv fasc. 2, 53 a, ἐξαλειψάτω contrasted with ἀντενγραφάτω.

XLVIII § 1. ἀποδέκται] 'general receivers.' These officials were instituted

οὗτοι δὲ παραλαβόντες τὰ [γρα]μματεῖα, ἀπαλείφουσι τὰ κατα-
 βαλλόμενα χρήματα ἐναντίον [τῆς βουλῆς] ἐν τῷ βουλευτηρίῳ,
 καὶ πάλιν ἀποδιδάσιν τὰ γραμματεῖα [τῷ δη]μοσίῳ· κἄν τις
 ἑλλίπῃ καταβολήν, ἐνταῦθ' ἐγγέγραπται, καὶ διπλ[οῦν] ἀνάγκη τὸ 5
 [ἐλλ]ειψθὲν καταβάλλειν ἢ δεδέσθαι, καὶ ταῦτα εἰσπρά[ττειν] ἢ
 2 βουλή καὶ δῆσαι [κυρ]ία κατὰ τοὺς νόμους ἐστίν. τῇ μὲν οὖν
 προτεραίᾳ δέχονται τὰ χρ[ήματα] καὶ μερίζουσι ταῖς ἀρχαῖς, τῇ
 δ' ὑστεραίᾳ τὸν τε μερισμὸν εἰσ[φέρου]σι γράψαντες ἐν σανίδι καὶ
 καταλέγουσιν ἐν τῷ βουλευτηρίῳ, καὶ π[ροτιθέ]ασιν ἐν τῇ βουλῇ 10
 εἴ τις τινα οἶδεν ἀδικοῦντα περὶ τὸν μερισμὸν ἢ ἄρ[χοντα] ἢ
 ἰδιώτην, καὶ γνώμας ἐπιψηφίζουσιν ἐάν τις τι δοκῇ ἀ[δικεῖν].
 3 κ]ληροῦσι δὲ καὶ λογιστὰς ἐξ αὐτῶν οἱ βουλευται δέκα τοὺς

XLVIII 4 ἀποδιδάσι H-L.

5 ΕΝΤΕΥΘΕΝΓΕ, ἐντεῦθεν γέγραπται K: ἐνταῦθ' ἐγγέγραπται Herwerden, Kontos, Gertz (H-L, K-W, B). διπλοῦν ἀνάγκη van Leeuwen (K-W, H-L, K³, B).

9 εἰσφέρουσι van Leeuwen (K-W, H-L, K³). **10** προτιθέασιν olim conieci (H-L), idem habent K-W, K³, B.

Zonaras 234; Bekk. *An.* 427, 13): ἄρχοντες κληρωτοί, δέκα τὸν ἀριθμὸν κατὰ φυλὴν εἰσιν, οἵτινες παρελάβανον καὶ ἀπεδέχοντο τὰ γραμματεῖα τῶν ὀφειλόντων τῷ δημοσίῳ... εἰτα ἐξήταζον τὰ τε ὀφειλόμενα καὶ τὰ ἀποδιδόμενα χρήματα σὺν τῇ βουλῇ καὶ ἐμέριζον εἰς ἃ χρῆ ἀναλίσκειν (Frag. 400², 440³). Schol. in Aeschin. 3 § 25 ἀποδέκται ἦσαν οἱ δεχόμενοι τὰ χρήματα τῶν καταβολῶν κτλ.

§ 3 *Harp. λογισταί:...εἰσι δὲ τὸν ἀριθμὸν δέκα (ἐκάστης φυλῆς εἰς Schol. in Aeschin.

by Cleisthenes to take over most of the duties previously performed by the κωλακρέται (Androton ap. Harpocr. s. v.). They are mentioned in Dem. c. *Timocr.* §§ 162, 197, Aesch. c. *Ctes.* 25, *Pol.* 1321 b 31, ἄλλῃ δ' ἀρχὴ πρὸς ἣν αἱ πρόσοδοι τῶν κοινῶν ἀναφέρονται, παρ' ὧν φυλαττόντων μερίζονται (cf. l. 8 μερίζουσι) πρὸς ἐκάστην διοίκησιν· καλοῦσι δ' ἀποδέκτας τούτους καὶ ταμίαις, also in an inscr. of 418/7 B.C. quoted in note on § 4, ὁ βασιλεὺς. See Boeckh, II iv; Schömann, p. 417; Gilbert, i 226; and *Dict. Ant. s.v.*; also Panske, *de Magistratibus Atticis*, i 46—60.

τὰ καταβαλλόμενα χρήματα ἐναντίον τῆς βουλῆς CIA ii 807 col. b 15, τοῦτο κατεβάλομεν ἀποδέκταις in B.C. 330/29; b 30, in B.C. 329/8; 803 col. d 93 and 138, δ εἰς βουλευτήριον κατεβάλομεν, B.C. 360 and 363.

ἑλλίπῃ καταβολήν] 'fail to pay an instalment.' Polyb. iv 60, 2, ἐλλελοιπέναι τινα τῶν ὀφωλίων.

ἐνταῦθ' ἐγγέγραπται] 'it is entered in this document'; this seems preferable to ἐντεῦθεν γέγραπται, 'a note is made of it from this record' (K.). ἐγγράφειν is specially applied to entering the names of state-debtors, Dem. 25 § 70 (cf. L and S, II 3).

δῆσαι κυρία] In Dem. c. *Timocr.* 98 the speaker argues that, owing to the law proposed by Timocrates, allowing debtors to the treasury to find securities instead of making prompt payments, the βουλή (as well as the δικαστήρια) ceases to be κυρία δῆσαι. Cf. 45 § 1.

§ 2. μερίζουσι] CIA ii 38, 18 (not later than Ol. 100 = B.C. 380-), μερίσαι δὲ τὸ ἀργύριον—τούς ἀποδέκτας ἐκ τῶν καταβαλλομένων χρημάτων ἐπειδὴν τὰ ἐκ τῶν νόμων μερίσωσι. *Ib.* 181, τοὺς δὲ ἀποδέκτας μερί[σαι] τῷ ἀρκ[ε]θεώρῳ δς ἂν αἰε ἀρκ[ε]-θ[εωρήσῃ] τὸ ἀργύριον. 115 b 44, [τὸ ἀργ]ύριον τοῦτο μερίζειν τ[οὺς] ἀποδ[έκτας] τῷ ταμίᾳ τοῦ δήμ[ου] εἰς τὸν] ἐναντὶν ἕκαστον. 834 b (B.C. 329/8) col. ii 3, τὸ μερισθὲν εἰς τὰ ἔργα παρ' ἀποδεκτῶν ἐπιστάταις Ἐλενσίνοθεν. *Pol.* 1321 b 31, quoted above. Cf. Boeckh, i 210 n. a, Fränkel.

μερισμὸν] 'the apportionment'; rarely found in this sense. For exx. see Dittenberger, no. 344, 18, 21, 23.

σανίδι] rare in sing. Dem. 25 § 70 (of the record of a debt) ἡ σανὶς ἢ παρὰ τῇ θεῷ κειμένη.

προτιθέασιν] 44 § 3.

§ 3. λογιστὰς] These are identical in name and number with those mentioned in 54 § 2. Both bodies are appointed by lot; but the λογισταί in the text are a

λογιουμένους τ[αῖς ἀρ]χαῖς κατὰ τὴν πρυτανείαν ἐκάστην. κλη- 4
 15 ροῦσι δὲ καὶ εὐθύνοους, ἕνα τῆς φυλῆς ἐκάστης, καὶ παρέδρους
 δύο ἐκάστῳ τῶν εὐθύνων, οἷς ἀναγκαῖον ἐστὶ ταῖς ἀ[γορ]αῖς κατὰ
 τὸν ἐπώνυμον τὸν τῆς φυλῆς ἐκάστης καθῆσθαι, καὶ τις βού[λῃ]ται
 τινι τῶν τὰς εὐθύνας ἐν τῷ δικαστηρίῳ δεδωκότων, ἐντὸς τριῶν
 ἡ[μερῶν ἀφ'] ἧς ἔδωκε τὰς εὐθύνας, εὐθυναν, ἂν τ' ἴδιαν ἂν τε

16 ταῖς ἀ[γορ]αῖς K (K-W): ταῖς εὐθύναις H-L et B invita papyro. KATA (K, B):
 παρὰ van Leeuwen (K-W, H-L). 17 ἐκάστης K, K-W; ἕκαστον H-L; ἐκάστο[ι]ς B;
 post τ prior tantum pars litterae η vel ο dispici potest. 19 ἂν τ' ἴδιαν ἂν τε
 δημοσίαν optime Gertz (H-W, K³, ἐάν τ'—ἐάν τ'—H-L).

3 § 15; cf. ib. § 9), οἱ τὰς εὐθύνας τῶν δικημένων ἐκλογίζονται ἐν ἡμέραις ᾧ, ὅταν τὰς
 ἀρχὰς ἀποθῶνται οἱ ἀρχοντες... διελκεται περὶ τούτων 'Ἀρ. ἐν τῇ 'Αθ. πολ., ἔνθα δέκνυνται
 ὅτι διαφέρουσι τῶν εὐθύνων. Pollux viii 99: καὶ τούτους ἡ βουλὴ κληροῖ κατ' ἀρχὴν ὡς
 παρακολουθεῖν τοῖς διοικοῦσιν.

§ 4 *Harp. εὐθυνοί:—δέκα τὸν ἀριθμὸν ἦσαν ἄνδρες, παρ' οἷς ἐδίδοσαν οἱ πρεσβεύσαντες
 ἡ ἀρχάντες ἡ διοικήσαντες τι τῶν δημοσίων τὰς εὐθύνας. διελκεται περὶ αὐτῶν 'Ἀρ. ἐν
 τῇ 'Αθ. πολ. Phot. εὐθυνοί: ἀρχὴ ἦν τις. ἐξ ἐκάστης δὲ φυλῆς ἕνα κληροῖσι· τούτω
 δὲ δύο παρέδρους (Frag. 405², 445³).

committee of the Council. They are there-
 fore to be distinguished from the board of
 λογισταί, who, with their συνήγοροι, audit
 the accounts of all officials at the close
 of their term of office. The officials ap-
 pointed by lot are enumerated in c. 50—
 64; c. 54, in which the λογισταί are named,
 is introduced with the words: κληροῖσι
 δὲ καὶ τὰςδε τὰς ἀρχάς. This implies that
 the officials in question have not been
 mentioned before. The existence of a
 committee of the Council, side by side
 with a board of the same name, appears
 to be supported by the analogy of the
 committee entitled οἱ ἐπὶ τὸ θεωρικόν
 ἡρημένοι (CIA ii 739), and the βουλευτῆς
 described as ἐπὶ τὸ θεωρικόν (CIA ii 114
 c 5), existing by the side of the official
 board οἱ ἐπὶ τῷ θεωρικῷ. The double
 sense of λογισταί is confirmed by Pollux
 viii 99, λογισταί δύο ἦσαν ὁ μὲν τῆς βουλῆς
 ὁ δὲ τῆς διοικήσεως, καὶ τούτους ἡ βουλὴ
 κληροῖ κατ' ἀρχὴν ὡς παρακολουθεῖν τοῖς
 διοικοῦσιν (Lipsius, *Leipzig Verhandl.* pp.
 66, 67). λογισταί δύο is the reading in
 Bekker's best MS; the rest have δύο δ',
 making it refer to the ἀντιγραφεὺς (see
 54 § 3).

τοὺς λογιουμένους—πρυτανείαν ἐκάσ-
 τῇ Lys. 30 § 5, οἱ μὲν ἅλλοι τῆς αὐτῶν ἀρχῆς
 κατὰ πρυτανείαν λόγον ἀποφέρουσι (ἀναφέ-
 ρουσι MSS). The text shews that this pas-
 sage was rightly understood by Schömann,
 as referring to the accounts which had to
 be presented to the λογισταί, and not to the
 ἐπιχειροτομία τῶν ἀρχῶν (43 § 4). ἀναφέ-
 ρειν nihil aliud esse potest quam quod alibi

dicitur λόγον ἐγγράφειν, hoc est perscrip-
 tam rationem ad eos, quibus ea examinanda
 est, deferre, quemadmodum ipsum Lysiam
 mox hoc verbo ἐγγράφειν uti videmus, et
 Aeschines quoque ἀποφέρειν λόγον πρὸς
 τοὺς λογιστάς dicit, in Ctesiph. § 22, eodem
 sensu quo paullo ante, § 20, λόγον ἐγγρά-
 φειν πρὸς τοὺς λογιστάς dixerat' (*Orusc.*
Acad. i 295).

§ 4. εὐθύνους] 'Examiners of accounts.'
 Harp. in *Testim.* At the audit of accounts
 by the board of λογισταί, the εὐθυνοί were
 entitled to bring charges against the
 ὑπεύθυνος. The assessors of the εὐθυνοί
 are mentioned in Andoc. *De Myst.* 78,
 ὅσων εὐθυναὶ τινὲς εἰσι κατεγνωσμένοι ἐν
 τοῖς λογιστηρίοις ὑπὸ τῶν εὐθύνων καὶ
 (ἢ MSS) τῶν παρέδρων, and in CIA 809 δ,
 ὀφειλέτω ὁ μὴ ποιήσας μυρίας δραχμὰς
 ἱερὰς τῇ 'Αθηνᾷ καὶ ὁ εὐθυνος καὶ οἱ
 πάρεδροι ἐπάναγκες αὐτῶν καταγιγνωσ-
 κόντων ἢ αὐτοὶ ὀφειλόντων. In CIA ii 571
 (B.C. 368), the εὐθυνος (of a deme)
 is mentioned together with his πάρεδροι;
 and ib. 578, the εὐθυνος (of another deme)
 with the λογιστής and the συνήγοροι.

The text shews that, even after the
 audit had been passed, officials were
 liable to be prosecuted by private persons
 in respect to the manner in which they
 had discharged their duties. Cf. Lipsius
 in *Leipzig Verhandl.* pp. 66, 67.

ταῖς ἀγοραῖς] i.e. at the regular
 meetings held by the several tribes for the
 transaction of tribal business. CIA
 ii 555, τῇ κυρίᾳ ἀγορᾷ κρύβδην ψηφισα-
 μένων τῶ[ν φυλετῶν] ἐν τῇ ἀκροπόλει,

δ[ημοσίαν], ἐμβαλέσθαι, γράψας εἰς πινάκιον λελευκωμένον τοῦ-
νομα τό <τε> [αὐτο]ῦ καὶ τὸ τοῦ φεύγοντος καὶ τὸ ἀδίκημ' ὃ τι ἂν
ἐγκαλῇ, καὶ τίμημα [ἐπιγραφά]μενος ὃ τι ἂν αὐτῷ δοκῇ, δίδωσιν
5 τῷ εὐθύνῳ· ὁ δὲ λαβὼν τοῦτο καὶ ἀ[νακρίνας], ἐὰν [[μὲν]] καταγνῶ,
παραδίδωσιν τὰ μὲν ἴδια τοῖς δικασταῖς τοῖς κατὰ δ[ήμους, τοῖς] τὴν
φυλὴν ταύτην εἰσάγουσιν, τὰ δὲ δημόσια τοῖς θεσμοθέτα[ις ἐπι-] 25
γράφει, οἱ δὲ θεσμοθέται, ἐὰν παραλάβωσιν, πάλιν εἰσάγουσιν
[τὴν] εὐθυναν εἰς τὸ δικαστήριον, καὶ ὃ τι ἂν γνῶσιν οἱ δικαστ[αί,
τοῦτο κύ]ριόν ἐστι.

49. δοκιμάζει δὲ καὶ τοὺς ἵππους ἢ βουλή, κὰν μὲν τις καλὸν

21 τὸ αὐτοῦ Blass, Richards, H-L, K³; τό τε αὐτοῦ K-W. 22 [ἐπιγραφά]μενος
Wyse, Lipsius (K³); [ἐπιγραφά]μενος H-L, B; ὑ[πογραφά]μενος K-W, sed u valde incertum
putat K. δίδωσι H-L. 23 ἀ[νακρίνας] Wayte, Lipsius: ἀ[ναγνούς] Blass,
K-W, H-L, K³, quamquam vel propter proximum καταγνῶ suspectum; ἀ[κούσας] K¹.
μὲν secl. K-W, B. 24 legendum fortasse τὰ μὲν ἴδια παραδίδωσιν, alioqui in altero
membro verbum languet. τοῖς τὴν B; οἱ τὴν cet. 25 ΕΙΣΔΕΥΟΥΣΙΝ K, H-L, B:
δικαζουσιν coni. Richards, Thompson (K-W). [ἀνα]γράφει K, H-L; [ἐγ]γράφει
Lipsius; [ἐπι]γράφει B; [τίμημα δ' ὑπο]γράφει K-W, sed spatium non sinit. 26 εἰσά-
γουσι H-L. 28 τοῦτο κύριόν ἐστι van Leeuwen (K-W, H-L, K³, B).

XLIX 1—2 καλὸν ἵππον K-W (K³, B); καλ[ῶς ἔχων] K¹ qui nunc in papyro ONI
agnoscit; κατὰστασιν Wyse (H-L).

554 ὁ, ἐν τῇ ἀγορᾷ (of the tribe Pandionis), 564, ὅταν ἀγορὰν ποιῶσιν (Gilbert, i 192).

ἂν τ'...ἂν τε] Kühner, § 54.1.

ἐμβαλέσθαι] of formally 'putting in' a document, Dem. p. 1014, 25, ἐμβεβλημένος οὐδεμίαν μαρτυρίαν, 1104, 6; 1203, 26, ἐμβαλομένου γὰρ ἐμοῦ τὸν ὅρκον εἰς τὸν ἔχινον.

τίμημα ἐπιγραφάμενος] Arist. *Plut.* 480, τί δῆτά σοι τίμημα' ἐπεγράψω τῇ δίκῃ; Lex ap. Aeschin. i § 16, τίμημα ἐπιγραφάμενος. Dem. 29 § 8, τῶν ἐπιγεγραμμένων ('the damages claimed') ἐτίμησαν.

§ 5. ἀνακρίνας—καταγνῶ] The examination of the accounts by the λογισταὶ and συνήγοροι is described as an ἀνάκρισις. Ar. ap. *Lex. Rhet. Cant.* s.v. λογισταί, (συνήγοροι) συνανακρίνουσι τοῖς τοῖς λογισταῖς. For the general use of ἀνακρίνω, as applied to the official conducting an ἀνάκρισις, cf. Dem. *Olymp.* 31, ὁ ἀρχων ἀνέκρινε πᾶσιν ἡμῖν τοῖς ἀμφισβητοῦσιν, and Isaeus, *Dicaeog.* 32, ἀνακρίναντες ἡμᾶς πολλὰς οἱ διαίτηται. Cf. 56 § 6 (γραφαὶ καὶ δίκαι) ὡς ἀνακρίνας εἰς τὸ δικαστήριον εἰσάγει. The statement that the ἀνάκρισις was also called an ἀνάγνωσις rests on a wrong reading in Dem. 53 § 22. The object of an ἀνάκρισις was to determine by a preliminary exami-

nation, εἰ ὅλως εἰσάγειν χρή (Harp. s.v.).

δικασταῖς...κατὰ δῆμους] 16 § 5; 26 § 3; 53.

τὴν φυλὴν ταύτην εἰσάγουσιν] 53 § 2, παραδιδόασιν...τοῖς τὴν φυλὴν τοῦ φεύγοντος δικάζουσιν, 58 § 2, τοὺς τὴν φυλὴν δικάζοντας, Lys. *Pancl.* 2, τοὺς τῇ Ἱπποθωντίδι δικάζοντας, and Isaeus *frag.* 1, ὅτι πρὸς τὴν φυλὴν τοῦ κεκτημένου αἱ πρὸς δοῦλους λαγχάνονται δίκαι (Meier and Schömann, p. 90 n. Lips.).

ἐπιγράφει] Aeschin. i § 35, μέχρι πενήτηκοντα δραχμῶν καθ' ἕκαστον ἀδίκημα ἐπιγράφειν τοῖς πράκτορσιν.

One of the other suggestions, ἐγγράφει, is supported by Aeschin. 3 § 20, λόγον ἐγγράφειν πρὸς τοὺς λογιστάς, Lys. 30 § 5, Dem. 24 § 199, Arist. *Vesp.* 996 (Lipsius).

The construction is slightly irregular, as a principal verb is not wanted, παραδίδωσι being the verb to both clauses—μὲν and δέ. The irregularity is removed by striking out μὲν, but this involves a needless hiatus and is not absolutely necessary.

ὃ τι ἂν—κύριόν ἐστι] Cf. c. 45, l. 10.

XLIX § 1. δοκιμάζει—τοὺς ἵππους] Xen. *Oec.* ix 15, ἡ βουλὴ ἵππους καὶ ἵππείας δοκιμάζει, *Hippiarch.* i 8, (ἡ πόλις) προσέταξε τῇ βουλῇ συνεπιμελεῖσθαι τοῦ ἵππικου, and iii 9—14. A *patra* from Orvieto, now in the Berlin Museum,

ἵ[ππων ἔχ]ων κακῶς δοκῇ τρέφειν, ζημιοῖ τῷ σίτῳ, τοῖς δὲ μὴ
 δυναμένοις [ἀκολ]ουθεῖν, ἢ μὴ ἔλουνσι μένειν ἀναγ<ώγοις> οὔσι,
 τροχὸν ἐπὶ τὴν γν[άθον ἐπιβάλλει, καὶ ὁ τ]οῦτο παθὼν ἀδόκιμός
 5 ἐστὶ. δοκιμάζει δὲ καὶ τοὺς πρ[οδ]ρ[όμους, ὅσοι ἂν α]ὐτῇ δοκῶ[σιν] [Col. 26.]
 ἐπιτήδειοι προδρομεύειν εἶναι, κἂν τιν' ἀποχειροτονήσῃ, καταβέ-

3 ἀκολουθεῖν Wyse (κ³, B); τρέφειν κ¹, τρέχειν Campbell, κ-w, H-L. θέλουνσι
 ΛΓ (vel ΛΛ)

κ, B. MENEIN ἀναγούσι; μένειν, ἀναγράφουσι Campbell; μένειν, ἐπιβάλλουσι
 R D Hicks; μένειν ἀναγ<ώγοις> οὔσι H-L (κ³); μένειν ἀλλ' ἀνάγουσι B (intrans.
 certe usurpatur in Arist. *Av.* 383, 400, 1720 et Xen. *Cyr.* vii 1, 45 ἀναγαγὼν ἐστρα-
 τοπεδεύσατο, sed non de equis dictum); (post θέλουνσι) σημείον ἐπιβάλλουσι κ-w.
 4 γνάθον Hicks coll. Hesych. s.v. τρυσίππιον; ἐπιβάλλουσι post μένειν posuit Hicks,
 post γνάθον H-L (κ³), sed (ut videtur) novem tantum litteris locus relictus; praestat
 igitur ἐπιβάλλει (B). [καὶ ὁ τ]οῦτο κ, H-L, B: [καὶ ὁ ἵππος ὁ τ]οῦτο (post γνά-
 θον) κ-w.

5 οὔτινες κ¹; οἱ ἂν κ² (H-L); [κρίνουσα, οἱ δ']ν <αὐ>τῇ κ-w sed
 spatium non sufficit: ὅσοι ἂν κ³ (B); inter προδρόμους et αὐτῇ sex septemve litterarum
 spatium superest.

6 ΤΙΝΑΠ[ΡΟ]Χ (ut infra, v. 7): τιν' ἀποχ. J B Mayor, Camp-
 bell, Wyse, Blass, etc. κ-w, H-L, κ³.

TESTIMONIA. XLIX 4 Hesych. τρυσίππιον et ἵππου τροχός, infra exscriptus. Phot.
 ἵππου τροχός: τὸ τρυσίππιον διὰ τὸ τοῖς διὰ γῆρας ἐκτρυνχθεῖσιν ἵπποις ἐκτυποῦσθαι
 τροχόν, ἀπολεγόντων αὐτοὺς τῶν στρατηγῶν.

represents three horsemen in *chlamys* and
pelasus leading their horses by the bridle
 past two standing figures who examine
 them as they pass. A third figure is
 seated and is entering memoranda on a
 scroll resting on his knees. In the centre
 is a *ἵπποτοξότης* standing beside his horse.
 The subject is doubtless a *ἵππων δοκι-
 μασία* (*Archaeol. Zeitung*, 37, 1880, pl.
 15; Duruy, *Hist. d. Grecs*, ii p. 177;
 Daremberg and Saglio, s.v. *Dokimasia*,
 p. 327; Schreiber's *Bilderatlas*, i 40, 7).
 On the *δοκιμασία* of the *ἵππεις* and
 their horses, see Martin, *Les Cavaliers
 Athéniens*, pp. 328—334.

τοῖς μὴ δυναμένοις ἀκολουθεῖν κτλ.]
 Xen. *Mem.* iii 3, 4, εἰν οὖν...παρέχωνται
 σοι τοὺς ἵππους οἱ μὲν οὕτως κακόποδας ἢ
 κακοσκελεῖς ἢ ἀσθενεῖς ὥστε μὴ δύνασθαι
 ἀκολουθεῖν, οἱ δὲ οὕτως ἀναγώγους ὥστε
 μὴ μένειν ὅπου ἂν σὺ τάξῃς...τί σοι τοῦ
 ἵππου ὄφελος ἐσται; *Hipparch.* i 13,
 τοὺς...ἵππεις ἢ βουλὴ ἂν μοι δοκεῖ προει-
 ποῦσα ὥς...τὸν μὴ δυνάμενον ἵππον
 ἀκολουθεῖν ἀποδοκιμάσει, ἐπιτεῖναι ἂν
 τρέφειν τε ἀμεινον καὶ ἐπιμελεῖσθαι μᾶλλον
 τῶν ἵππων. ἀνάγωγος is also an epithet
 of 'unmanageable' dogs in *Mem.* iv 1, 3.

τροχόν—ἐπιβάλλει Hesych. s.v.
 τρυσίππιον· τὸν χαρακτήρα τὸν ὑπὸ τῆς
 βουλῆς ἐν ταῖς δοκιμασίαις τοῖς ἀδυνάτοις
 καὶ τετρυμμένοις <τῶν ἵππων ἐπιβαλλό-
 μενον addidit Petitus>, ἵνα μηκέτι στρα-
 τεύωνται, τὸ παλαιὸν ἐκάλουν τρυσίππιον·
 τροχός δ' ἦν ὁ ἐπιβαλλόμενος χαρακτήρ τῇ
 γνάθῳ τῶν ἵππων. Hesych. ἵππου τροχός·

τῶν γεγρακόντων ἵπποις ἐχάραττον ἐπὶ τὴν
 γνάθον σημείον, τροχοῦ σχῆμα ἔχον. ἐκα-
 λείτο δὲ καὶ τρυσίππιον. Aelius Dionys.
 apud Eustath. ad *Od.* iv 562, p. 1517, 8,
 τρυσίππιον· ἔγκανμα ἵππου γεγρακόντος
 ἐπὶ τῆς γνάθου, ὅμοιον τροχῷ. Crates,
frag. 30 (Kock i 140), ἵππῳ γηράσκοντι
 τὰ μείονα κύκλ' ἐπιβάλλει, quoted by
 Zenob. iv 41, ...μετῆκται δὲ ἀπὸ στρατιω-
 τικῶν ἵππων, οἷς γηράσκουσιν ἐπέβαλλον
 τὸ καλούμενον τρυσίππιον· ἐστὶ δὲ τοῦτο
 σιδηροῦς τροχίσκος...ὃν ἐκφυροῦντες ἐπέ-
 βαλλον ταῖς σιαγῶσι τῶν ἵππων. Eupolis
 318 (Kock i 343) ἀλλ' ὥσπερ ἵππῳ μοι
 πριβαλεῖς τρυσίππιον; Cf. Photius s.v.
 τρυσίππιον and ἵππου τροχός, and Pollux
 vii 186. As suggested by Kaibel and
 Wilamowitz, most of the above explana-
 tions probably rest ultimately on a
 scholium on the *Tuxiarchi* of Eupolis
 founded on the present passage.

προδρόμους] 'mounted skirmishers.'
 The term is applied by Hdt. to 'horse-
 men in advance of an army.' Xen.
Hipparch. i 25, uses it of 'javelin-men'
 under the command of a cavalry officer:
 εἰ τοὺς ἀμφὶ σὲ προδρόμους κομήσας μὲν
 ὅπλοις ὡς κάλλιστα, ἀκοντίζεν δὲ μελετᾶν
 ἐξαναγκάσας ὡς μάλιστα, κτλ. In the
 march of Alexander to the Granicus, the
 Paeonians formed a special corps of πρό-
 δρομοὶ for purposes of reconnoitring (*Arr.
 An.* i 12, 7; Droysen, *Kriegsalterthümer*,
 p. 117, 3).

προδρομεύειν] not found elsewhere.
 καταβέβηκεν] 'dismounts' (as dis-

βηκεν οὗτος. δοκιμάζει δὲ καὶ τοὺς ἀμίππους, κἄν τιν' ἀποχειρο-
2 τονήσῃ, πέπναιται μισθοφορῶν οὗτος. τοὺς δ' ἱππέας καταλέγου-
σιν οἱ καταλογεῖς, οὓς ἂν ὁ δῆμος χειροτονήσῃ δέκα ἄνδρας· οὓς δ'
ἂν καταλέξωσι, παραδιδόασιν τοῖς ἱππάρχοις καὶ φυλάρχοις, οὗτοι 10
δὲ παραλαβόντες εἰσφέρουσι τ[ὸν] κατάλογον εἰς τὴν βουλὴν, καὶ
τὸν πῖνακ' ἀνοίξαντες, ἐν ᾧ κατασεσημασμένα τὰ ὀνόματα τῶν
ἱππέων ἐστί, τοὺς μὲν ἐξομνυμένους τῶν πρότερον ἐγγεγραμμένων
μὴ δυνατοὺς εἶναι τοῖς σώμασιν ἱππεύειν ἐξαλείφουσι, τοὺς δὲ
κατειλεγμένους [κ]αλοῦσι, κἄν μὲν τις ἐξομώσῃται μὴ δύνασθαι τῷ 15
σώματι ἱππεύειν ἢ τῇ οὐσίᾳ, τοῦτον ἀφιάσιν, τὸν δὲ μὴ ἐξομνύμενον
διαχειροτονοῦσιν οἱ βουλευταί, πότερον ἐπιτήδειός ἐστιν ἱππεύειν

7 ΔΝΙΠΠΟΥΣ: ἀμίππους Newman, Wyse, Blass, K-W, H-L, K³. ΤΙΝΑΠΡΟΧ
(ut supra, v. 6). 12 ΠΙΝΑΚΑΝΟΙΖΑΝΤΕΣ: πῖνακ' ἂν. K-W, B; πῖνακα ἂν. K, H-L.
Κ(ΑΤΑ)ΣΕΧΗΜ(ΕΝ)ΔΣΜ(ΕΝ)Δ. 13 ΕΝΓΕΓΡ. 15 ΕΞΟΜΗΧΗΤΑΙ: ἐξομώσῃται
K, H-L; ἐξομνύται K-W (B).

qualified); used differently in [Dem.] 42 § 24 of giving up riding, καταβέβηκεν ἀπὸ τῶν ἱππῶν.

ἀμίππους] 'infantry fighting in the ranks of the cavalry.' Thuc. v 57, 2, (of the Boeotians at Delium) ὀπλίται, ψιλοί, ἱππῆς and ἄμπποι. Xen. *Hell.* vii 5, 24 (Epameinondas) ἀμίππους πεζοὺς συνέταξεν αὐτοῖς (= τῷ ἱππικῷ); the opposite side was ἔρημον πεζῶν ἀμίππων (23); the MSS have in both cases ἀνίππ., corrected by Morus. Xenophon recommends their use: *Hipparch.* v 13, ἀσθενὲς τὸ πεζῶν ἔρημον ἱππικὸν πρὸς τὸ ἀμίππους πεζοὺς ἔχον. Harpocr. s.v. ...οἱ σὺν ἱπποῖς στρατευόμενοι...μήποτε (perhaps) πρόδρομοί τινές εἰσιν οἱ ἅμα τοῖς ἱππέσιν τεταγμένοι· Φιλόχορος γοῦν ἐν τῇ 15' φησὶ καὶ προδρόμους. Ar., in *Pol.* 1321a 17, speaks of generals οἱ συνδύαζουσι πρὸς τὴν ἱππικὴν δύναμιν καὶ ὀπλιτικὴν τὴν ἀρμάττουσαν τῶν ψιλῶν. Cf. Martin, *Les Cavaliers Athéniens*, p. 410.

§ 2. οἱ καταλογεῖς] These officials (who bear the same name as the καταλογεῖς under the Four Hundred, Lys. 30 § 13, but are not mentioned elsewhere) are described as employed in drawing up the roll of the cavalry; they hand it over to the Hipparchi and Phylarchi, to be brought by them before the Council. The fact that the βουλὴ conducted the δοκιμασία of the ἱππεῖς was already known (Xen. *Oec.* ix 15). In Lys. 14 § 10, Ἀλκιβιάδης ἐτόλμησεν ἀναβῆναι... οὕτε ὑφ' ἑμῶν δοκιμασθεῖς, the pronoun loosely identifies the δικασταί with the βουλευταί. The text

shews that no proceedings before a law-court were involved in a δοκιμασία ἱππέων.

The term κατάλογος is applied to the official list of the ἱππεῖς in Lys. 16 § 13 (of Mantitheus), προσελθὼν ἔφη τῷ Ὀρθοβούλῳ (doubtless his Phylarchus) ἐξαλείψαι με ἐκ τοῦ καταλόγου, *ib.* § 6, τοὺς φυλάρχους ἀπενεγκύν τοὺς ἱππεύσαντας. The Hipparchi, as well as the Phylarchi, were responsible for the κατάλογος, as had already been pointed out by Bake, *Scholica Hyeronimiana*, v 150, 170: the text shews that it was drawn up in the first instance by the καταλογεῖς.

τὸν πῖνακ'] The κατάλογος of the ἱππεῖς under the Thirty is described as drawn up on a σανίδιον (Lys. 16 § 6) or σανίδες, Lys. 26 § 10, ὡς ἱππευκότος αὐτοῦ ἐπὶ τῶν τριάκοντα τοῦνομα ἐν ταῖς σανίσιν ἐνεγέγραπτο.

κατασεσημασμένα] Plat. *Leg.* 756 E, (in the scheme proposed for the appointment of the βουλῇ) τὰ κατασημανθέντα ὀνόματα ἐξενεγκύν τοὺς ἀρχοντας ἰδεῖν πᾶσι τοῖς πολίταις.

ἐξομνύμενους] Pollux viii 55 (ἐξωμοσία) ὅταν τις ἢ πρεσβευτὴς αἰρεθεῖς ἢ ἐπ' ἄλλην τινα δημοσίαν ὑπηρεσίαν, ἀρρωστειν ἢ ἀδυνατεῖν φάσκων ἐξομνύται αὐτὸς ἢ δι' ἑτέρου. Schol. on Arist. *Ecc.* 1026.

ἐγγεγραμμένων] Lys. 26 § 10, quoted above, and 16 § 6 (as emended by Markland). Arist. *Eg.* 1371, ὀπλίτης ἐντεθεῖς ἐν καταλόγῳ ἐγγεγράφεται.

ἐξαλείφουσι] Lys. 16 § 7, ἐκ τούτων (the lists of ἱππεῖς under the Thirty) ῥάδιον ἢ ἐξαλειφθῆναι τῷ βουλομένῳ.

ἢ οὐ· καὶ μὲν χειροτονήσωσιν, ἐγγράφουσιν εἰς τὸν πίνακα, εἰ δὲ μή, καὶ τοῦτον ἀφίψιν.

20 ἔκρινεν δέ ποτε καὶ τὰ παραδείγματα καὶ τὸν πέπλον ἢ βουλή, 3
νῦν δὲ τὸ δικαστήριον τὸ λαχόν· ἐδόκουν γὰρ οὗτοι καταχαρίζεσθαι
τὴν κρίσιν. καὶ τῆς ποιήσεως τῶν Νικῶν, καὶ τῶν ἄθλων τῶν εἰς
τὰ Παναθήναια, συνεπιμελεῖται μετὰ τοῦ ταμίου τῶν στρατιω-
τικῶν.

25 δοκιμάζει δὲ καὶ τοὺς ἀδυνάτους ἢ βουλή· νόμος γάρ ἐστιν ὃς 4

20 ἔκρινε H-L.

K(Δ1) ΤΟΝ Κ, K-W, H-L: τὰ εἰς τὸν Β.

§ 4 *Harp. ἀδυνατοί: ...οἱ ἐντὸς τριῶν μῶν κекτημένοι τὸ σῶμα πεπηρωμένοι [πεπηρω-
μένον codd. praeter E (Suid.), ubi οἱ πεπηρωμένοι τὸ σῶμα; τὸ δὲ σῶμα πεπηρωμένοι

§ 3. παραδείγματα] Of the architect's plan for the temple at Delphi, Hdt. v 62. The construction of such a παράδειγμα is illustrated by an inscr. cited by Homolle, *Les Archives de l'Intendance Sacrée à Delos*, p. 13, n. 4: εἰς τὸ παράδειγμα τοῦ προ-
πύλου πίνακα ἡγοράσαμεν παρὰ Χρησίου Διτ. ἐπισκευάσαντι τὸν πίνακα Θεοδήμωι
††. Λευκώσαντι τὸν πίνακα ἀμφοτέρωθεν †††. The wood used for the πίναξ is also mentioned: τοῦ φοίνικος τὸ περιγενομένου ἀπὸ τοῦ παραδείγματος (Wyse, *Class. Rev.* v 275 b). Cf. CIA ii 807 b 101 (B.C. 330), παράδειγμα τῶν κεραμίδων τῶν ἐπὶ τῇ σκευοθήκῃ and *ib.* 126, π. ξύλινον τῆς τριγλύφου τῆς ἐγκαύσεως. The last item recurs in B.C. 325, *ib.* 809 col. c 8, and in B.C. 324, *ib.* 811 col. b 193.

τὸν πέπλον] woven by ἐργαστῆναι, under the superintendence of two ἀρρηφόροι and certain priestesses. In CIA ii 477 we have an inscr., ascribed to B.C. 98, referring to a proposal to dedicate to Athene a silver φιάλη with 100 dr. on the part τῶν παρθένων τῶν ἡρασμένων τῇ Ἀθηνᾷ τὰ ἔρια τὰ εἰς τὸν πέπλον. These were the ἐργαστῆναι αἱ τὸν πέπλον ὑφαίνονσαι (Hesych.). In CIA ii 956, 957, 957 b, we have lists of ἐργαστῆναι (one of them containing more than 100 names) arranged under their respective tribes, many of them belonging to the Εὐπατρίδαι (*Bull. Corr. Hellén.* xiii 170; *Mittheil.* viii 65). A new *perplus* was made every year (Schol. Arist. *Eq.* 566). The *loci classici* are collected in Michaelis, *Parthenon*, Anhang II §§ 151—164, 171—3, p. 328—9. Suidas, s. v. ἐπιώγατο, describes the ἀρρηφόροι as selected by the archon βασιλεὺς, while Harpocr., s. v. ἀρρηφορεῖν, states that four ἀρρηφόροι ἐχειροτονοῦντο δι' εὐγένειαν, and two of these ἐκρίνοντο to superintend the πέπλος. The text shews that the appointment was ultimately transferred to a law-

court to secure an impartial selection.

νῦν δὲ τὸ δικαστήριον] The date of this transfer to a law-court of duties formerly entrusted to the Council is uncertain. The παράδειγμα of the σκευοθήκη designed by Philo was expounded in public by the architect himself:—Cic. *de Or.* i 62, 'Philonem illum architectum, qui Atheniensibus armamentarium fecit, constat perdiserte *populo* rationem operis sui reddidisse'; Val. Max. viii 12, 2, 'Philonem...rationem institutionis suae in *theatro* reddidisse constat.' It was constructed between B.C. 347/6 and 330/29.

The fact that the exposition took place before the 'people,' 'in the theatre,' is suggestive of a meeting of the ἐκκλησία rather than one of the βουλή. It is certainly inconsistent with an appearance before a δικαστήριον. There is more evidence for the theatre being used for meetings of the ἐκκλησία (Müller's *Bühnenalterthümer*, p. 73) than for those of the βουλή. The only evidence for the latter is CIA ii 482, B.C. 39—32.

Thus, the above passages respecting Philo suggest that the duty of deciding on παραδείγματα was in his time not yet transferred to a law-court; on the other hand, they do not refer to any hearing before the Council.

Νικῶν] 47 § 1.

τῶν ἄθλων] The musical, gymnastic, and equestrian contests. Among the minor contests were those in εὐανδρία (60 § 3), the Pyrrhic dance and the Lampadedromia (see Michaelis, *Parthenon*, Anh. II §§ 46—130, and Smith, *Dict. Ant.* s. v. Panathenaea). The special officials were the ten *Athlothetae* (60 § 1), who received subsidies from the ταμίαι ἱερῶν χρημάτων τῆς Ἀθηνᾶς (CIA i 188, 1—7).

ταμίου τῶν στρατιωτικῶν] 43 § 1.

§ 4. τοὺς ἀδυνάτους] Schol. Aeschin.

κελεύει τοὺς ἐντὸς τριῶν μυνῶν κεκτημένους, καὶ τὸ σῶμα πεπηρωμένους ὥστε μὴ δύνασθαι μηδὲν ἔργον ἐργάζεσθαι, δοκιμάζειν μὲν τὴν βουλὴν, διδόναι δὲ δημοσίᾳ τροφὴν δύο ὀβολοὺς ἐκάστῳ τῆς ἡμέρας.

καὶ ταμίᾳς ἐστὶν αὐτοῖς κληρωτός.

5 συνδιοικεῖ δὲ καὶ ταῖς ἄλλαις ἀρχαῖς τὰ πλεῖσθ', ὡς ἔπος εἰπεῖν.

50. τὰ μὲν οὖν ὑπὸ τῆς βουλῆς διοικούμενα ταῦτ' ἐστίν. κληροῦνται δὲ καὶ ἱερῶν ἐπισκευασταὶ δέκα ἄνδρες, οἱ λαμβά-

28 δὲ ὀβολοὺς K-W, B: δύο ὀβολοὺς cum pap. K, H-L. 31 συνδιοικεῖ—εἰπεῖν delet Herwerden utpote 'ex capitis 47 initio maximam partem repetita, hic autem incommoda': eadem recte idcirco retinet K, quod talia Senatus officia nondum omnia sint commemorata.

post Bekkerum Dind.]. ἐλάμβανον δὲ οὗτοι δοκιμασθέντες ὑπὸ τῆς βουλῆς δύο ὀβολοὺς τῆς ἡμέρας ἐκάστος [ἢ ὀβολόν], ὡς φησιν Ἀρ. ἐν Ἀθ. πολ. Bekk. An. 345, 15 (cf. 200, 3): οἱ μέρος τι βεβλαμμένοι τοῦ σώματος ὡς μηδὲ ἐργάζεσθαι· οἱ καὶ ἐχορηγοῦντο τὰ πρὸς τὸ ζῆν παρὰ τῆς πόλεως, μισθοφορούντων αὐτῶν (αὐτοῖς cod.) ὡς (τῶν cod.) ἐντὸς τριῶν μυνῶν (om. cod.) περιουσίαν κεκτημένων. ἐδοκιμάζοντο δὲ οἱ ἀδύνατοι ὑπὸ τῆς τῶν πεντακοσίων βουλῆς καὶ ἐλάμβανον τῆς ἡμέρας, ὡς μὲν Λυσίας λέγει, ὀβολὸν ἕνα, ὡς δὲ Φιλόχορος, πέντε, Ἀρ. δὲ δύο ἔφη. Hesych. οἱ ἐντὸς κεκτημένοι τριῶν μυνῶν παρὰ Ἀττικοῖς. ἐλάμβανον δὲ παρὰ τῆς βουλῆς δύο ὀβολοὺς (Frag. 430^a, 470^b).

i 103, κατὰ μῆνα (πρυτανείαν?) ἐκ τοῦ δημοσίου δίδονται τοῖς ἀδύνατοις πολίταις μισθός· ἀδύνατους δὲ πάντας λέγουσι τοὺς ὁπωσδήποτε ἡχρηωμένους πρὸς ἐπικουρίαν ἑαυτῶν. At first it was only citizens who were disabled in war that received relief from the state. This institution is ascribed to Peisistratus in Plut. Sol. 31, ὁ νόμος ὁ τοὺς πηρωθέντας ἐν πολέμῳ δημοσίᾳ τρέφειν κελεύων. This limitation was afterwards removed. It is clear that the speaker in Lys. 24, ὑπὲρ τοῦ ἀδυνάτου, had never seen any service in the field; otherwise he would have mentioned the fact (Gilbert, i 329). The speech is addressed to the βουλῇ on the occasion of an εἰσαγγελία. The βουλῇ are there described as having given the grant (§ 7, ἔδοτε, and in more general terms § 22, πάλας κοινῇ πάντες ἔδοτέ μοι). The grant had to be confirmed by each successive βουλῇ, as implied in § 26, τὴν αὐτὴν ψήφον θέσθε περὶ ἐμοῦ ταῖς ἄλλαις βουλαῖς. It rested ultimately on a decree of the people, § 22, ἡ πόλις ἡμῶν ἐψηφίσαστο τοῦτο τὸ ἀργύριον, but it does not follow that the case of each recipient was settled by decree.

μὴ δύνασθαι μηδὲν ἔργον ἐργάζεσθαι] Lys. 24 § 6, τέχνην κέκτημαι βραχέα δυνάμεν ὠφελεῖν ἢ αὐτὸς μὲν ἦδη χαλεπῶς ἐργάζομαι.

δοκιμάζειν] The fact is stated by

Harpocr., Bekker's *Anecd. Gr.* 345, 18, and Suidas.

δύο ὀβολοὺς] Hence in Harpocr. s. v. ἀδύνατοι the words ἡ ὀβολὸν must be struck out (as was suggested by Hulleman, *Quaestiones Graecae*, p. 5). The text is correctly quoted in Bekker's *Anecd. Gr.* 345, 15.

ταμίᾳς] In B.C. 343/2, CIA ii 114, there were two βουλῆς ταμίαι. They superintended τὰ κατὰ ψηφίσματα ἀναλισκόμενα τῇ βουλῇ (114 B 61). Early in the third century we have an inscr. mentioning only one; CIA ii 329 Νικοκράτης βουλευεῖν λαχὼν—καὶ ταμίᾳς αἰρεθείς ὑπὸ τῆς βουλῆς εἰς τε τὰς θυσίας τοῖς..... σιν μεμέρικεν τοῖς ἱεροποιοῖς—καὶ ὑπὲρ ἀπάντων ὧν ὠκονόμηκεν ἀπολελόγισται τῇ βουλῇ ὀρθῶς καὶ δικαίως (Gilbert, i 254); cf. ii 431, 36.

§ 5. συνδιοικεῖ—πλεῖσθ' 47 init.; 57 § 1, ὡς δ' ἔπος εἰπεῖν—διοικεῖ οὗτος πᾶσας. ὡς ἔπος εἰπεῖν] c. 2 ult., ὡς εἰπεῖν, 57 § 1, ὡς ἔπος εἰπεῖν.

L—LIII. On minor officials appointed by lot.

L § 1. ἱερῶν ἐπισκευασταί] 'repairers of temples'; not mentioned elsewhere. The small sum allowed for this department (30 minae) implies that their duties were unimportant. The word is used in an unofficial sense in Dem. *Androt.* 69.

νοντες τριάκοντα μνᾶς παρὰ τῶν ἀπο[δε]κτῶν, ἐπισκευάζουσιν τὰ
 μάλιστα δέοντα τῶν ἱερῶν, καὶ ἀστυνόμοι δέκα. τούτων δὲ 2
 5 πέντε [μὲν] ἄρχουσιν ἐν Πειραιεῖ, πέντε δ' ἐν ἄστει, καὶ τὰς τε
 αὐλητρίδας καὶ τὰς ψαλτρίας [καὶ] τὰς κιθαριστρίας οὗτοι σκο-
 πούσιν, ὅπως μὴ πλείονος ἢ δυεῖν δραχμαῖν μισθωθήσονται, κἂν
 πλείους τὴν αὐτὴν σπουδᾶσιν λαβεῖν, οὗτοι διακληροῦσι καὶ τῷ
 λαχόντι μισθοῦσιν. καὶ ὅπως τῶν κοπρολόγων μηδεὶς ἐντὸς δέκα
 10 σταδίων τοῦ τείχους καταβαλεῖ κόπρον ἐπιμελοῦνται, καὶ τὰς
 ὁδοὺς κωλύουσι κατοικοδομεῖν, καὶ δρυφάκτους ὑπὲρ τῶν ὁδῶν

L 3 ἐπισκευάζουσι H-L.

5 ΠΕΙΡΑΕΙ (K-W, B): Πειραιεῖ K, H-L.

7 ΛΥΕΙΝ

ΔΙΕ

ΔΡΑΧΜ... (fortasse δραχμαῖν scriptum erat); δυεῖν δραχμαῖς idcirco retinetur K quod
 in titulis Atticis δυεῖν cum plurali tantum iunctum sit, Meisterhans, p. 162²; δυεῖν

CTA

δραχμαῖν K-W¹, B; δυοῖν δραχμαῖν H-L, K-W².

9 ΕΝΤΟΙΔΙΩΝ: ἐντὸς ἰ σταδίων

J E B Mayor (K-W, H-L, K³, B), ἐντὸς ἰ σταδίων <ἀπὸ> malebat van Leeuwen.

10 ΚΑΤΑΒΑΛΗΙ ante corr.

ΕΠΙΜΕΛΟΝΤΑΙ.

TESTIMONIA. L § 2 *Harp. ἀστυνόμος...δέκα φησιν εἶναι τοὺς ἀστυνόμους 'Αρ.
 ἐν τῇ 'Αθ. πολ., "πέντε μὲν ἐν Πειραιεῖ, πέντε δ' ἐν ἄστει." τοῦτοι δὲ φησι μέλειν
 περὶ τε τῶν αὐλητρίδων καὶ ψαλτρῶν καὶ τῶν κοπρολόγων καὶ τῶν τοιούτων (Frag.
 408², 448³). Heraclides epitom. Rose, Frag. 611, 8, καὶ τῶν ὁδῶν ἐπιμελοῦνται
 ὅπως μὴ τινες κατοικοδομῶσιν αὐτὰς ἢ δρυφάκτους ὑπερτείνωσιν.

ἀποδεκτῶν] 48 §§ 1, 2.

§ 2. ἀστυνόμοι] Pol. 1321 ὁ 18,
 ἑτέρα δ' ἐπιμέλεια... ἢ τῶν περὶ τὸ ἄστυ
 δημοσίων καὶ ἰδίων, ὅπως εὐκοσμία ἦ, καὶ τῶν
 πιπτόντων οἰκοδομημάτων καὶ ὁδῶν σω-
 τηρία καὶ διόρθωσις καὶ τῶν ὁρίων τῶν πρὸς
 ἀλλήλους... καλοῦσι δ' ἀστυνομίαν οἱ πλεί-
 στοι τὴν τοιαύτην ἀρχήν, ἰδ. 1331 ὁ 9 τὴν
 καλουμένην ἀστυνομίαν. The fact that
 the ἀστυνόμοι were appointed by lot
 is stated in Dem. 24 § 112. Cf. Gilbert,
 i 245, and Häderli, *die Astynomen und*
Agoranomen (Teubner) 1886.

αὐλητρίδας] Hyperides, ii 4, 3, πλείονος
 μισθοῦντες τὰς αὐλητρίδας ἢ ὁ νόμος κελεύει.
 Cf. Plato, *Protag.* 347 D (of the συμπόσια
 τῶν φαύλων καὶ ἀγοραίων ἀνθρώπων) οὗτοι
 τιμὰς ποιοῦσι τὰς αὐλητρίδας, πολλοὺ μισ-
 θοῦμενοι ἀλλοτρῶν φωνὴν τὴν τῶν αὐτῶν.
 —ὅπου δὲ καλοὶ κάγαθοι συμπόται καὶ πε-
 παιδευμένοι εἰσὶν, οὐκ ἂν ἴδοις οὔτε αὐλη-
 τρίδας οὔτε ὄρχηστρίδας οὔτε ψαλτρίας.
 The αὐλητρίς (as well as the κιθάρα) is to
 be seen at the symposium, in Schreiber's
Bilderatlas, i 76, 2 and 4; and the κι-
 θαρίστρια and the ψαλτρία in the mural
 paintings from the Farnesina garden in
 Baumeister's *Denkmäler*, figs. 1605, 1609.

κοπρολόγων κτλ.] Arist. Frag. 662
 Kock, κοπρολογεῖ κόφινον λαβών. Schol.
 Dem. *Timocr.* 735, 16, ἀστυνόμος ὁ τῶν

δημοσίων ἐπιμελούμενος καὶ τοῦ καθαρὰν
 εἶναι τὴν πόλιν. Cf. Wachsmuth, *Stadt*
Athen, ii 282.

τὰς ὁδοὺς] A decree relating to the
 Peiraeus which was proposed by De-
 mades in B.C. 320 (Ditt. no. 337) assigns to
 the ἀγορανόμοι some of the duties of the
 ἀστυνόμοι—requiring them ἐπιμελεσθῆναι
 τῶν ὁδῶν τῶν πλατειῶν... ἐπαναγκάζοντων
 δὲ καὶ τοὺς τὸν χοῦν (rubbish) καταβεβλη-
 κότας εἰς τὰς ὁδοὺς πάντας ἀναεῖν τρόπῳ
 ὅτῳ ἂν ἐπίστανται... μὴ ἐξεῖναι μηδὲν μῆτε
 χοῦν καταβάλλειν μῆτε ἄλλο μῆτε μῆτε
 κόπρον μῆτε ἐν τῇ ἀγορᾷ μῆτε ἐν ταῖς ὁδοῖς
 μηδαμῶν. Cf. Meier and Schömann, p.
 105—8 Lipsius.

κατοικοδομεῖν] [Xen.] *de Rep. Ath.* iii
 4, δεῖ δὲ... διαδικάζειν εἰ τις... κατοικοδομεῖ
 τι δημόσιον. The general superintendence
 of buildings has been ascribed to the ἀστυ-
 νόμοι on the analogy of the provisions
 suggested in Plat. *Leg.* 763 C, τῶν τε ὁδῶν
 ἐπιμελούμενοι... καὶ τῶν οἰκοδομῶν. Cf.
 Polyaen. iii 9, 30, Ἰφικράτης ἐν ἀπορία
 χρημάτων ἔπεισεν Ἀθηναίους τὰ ὑπερέχοντα
 τῶν οἰκοδομημάτων εἰς τὰς δημοσίας ὁδοὺς
 ἀποκόπτειν ἢ πιπράσκειν κτλ.

δρυφάκτους] Balconies projecting from
 the fronts of houses. (Lat. *maeniana*,
 like that of the *casa del balcone pensile* at
 Pompeii; forbidden at Rome in A.D. 368

ὑπερτείνειν, καὶ ὀχετοὺς μετεώρους εἰς τὴν ὁδὸν ἔκρουν ἔχον[τας] ποιεῖν, καὶ τὰς θυρίδας εἰς τὴν ὁδὸν ἀνοίγειν· καὶ τοὺς ἐν ταῖς ὁδοῖς ἀπογυγνομένους ἀναιροῦσιν, ἔχοντες δημοσίους ὑπηρέτας. 14

51. κληροῦνται δὲ καὶ ἀγορανόμοι, πέντε μὲν εἰς Πειραιέα, πέντε δ' εἰς ἄστυ. τούτοις δὲ ὑπὸ τῶν νόμων προστέτακται τῶν ὠ[νίω]ν ἐπιμελεῖσθαι πάντων, ὅπως καθαρὰ καὶ ἀκίβδηλα πωλῇται. 4

TESTIMONIA. LI § 1 *Harp. ἀγορανόμοι: οἱ κατὰ τὴν ἀγορὰν ὧνα διοικοῦντες ἀρχοντες... Ἀρ. δ' ἐν Ἀθ. πολ. κληροῦσθαι φησι "πέντε μὲν εἰς Πειραιᾶ, πέντε δὲ εἰς ἄστυ" (Frag. 409², 449²).

and again by Honorius and Theodosius.) Schol. Arist. *Vesp.* 386 δρόφακτοι· τὰ νῦν ταβλῳτὰ (ταβλώματα Schol. *Eg.* 675) καλούμενα, τὰ τῶν οἰκοδομημάτων ἐξέχοντα ξύλα, cf. 349 and 830 with Schol.

ὀχετοὺς κτλ.] the λαύραι of Arist. *Pax* 99; cf. Wachsmuth, *Stadt Athen*, p. 284-5. θυρίδας εἰς τὴν ὁδὸν ἀνοίγειν] *thyris* is usually a 'window,' as in *de Anima* 404 a 4 and *Probl.* 913 a 10, αἱ διὰ τῶν θυρίδων ἀκτῖνες, also in Arist. *Vesp.* 379, and *Thesm.* 797, ἐκ θυρίδος παρακύπτωμεν, Plut. *Dion* 57, πρὸς ταῖς θύραις τοῦ οἴκου καὶ ταῖς θυρίσιν, and *Mor.* 522 (*de Curiositate* 13). The same meaning can be retained in Plat. *Rep.* 359 D, ἵππον χαλκοῦν, κοῖλον, θυρίδας ἔχοντα, καθ' ὅς ἐγκύψαντα ἰδεῖν ἐνόντα νεκρόν, cf. Lucian, *Hermotimus*, 20, τὸν ἀρχιτέκτονα ἐπέπληξε τὸν "Ἡφαιστον, διότι μὴ καὶ θυρίδας ἐποίησεν αὐτῷ κατὰ τὸ στέρον, ὡς ἀναπετασθεῖσων κτλ., and Plut. *Mor.* 2, 273 B, διὰ τί πύλην μίαν θυρίδα καλοῦσι (τὴν γὰρ φαίνεται στῆναι τοῦτο σημαίνειν) and *ib.* διὰ θυρίδος προκύψασα. I can find no passage in which *thyris* means the same as *θύρα*. In L and S *thyris* is defined as a diminutive of *θύρα*; but, of the two passages quoted, the first (Plato, *l. c.*) is inconclusive, and in the second (Plutarch *l. c.*) it certainly means a 'window.' In a Greek house the principal windows were in the *peristyle*, and any that looked into the street were on the upper storey. We must suppose that windows with shutters opening outwards on to the street were prohibited. Possibly such shutters were considered dangerous in the event of their being loosened by the wind and falling into the street.

The author of the *Oeconomica*, 2, 1347 a 6, says of Hippias, τὰ ὑπερέχοντα τῶν ὑπερώων εἰς τὰς δημοσίας ὁδοὺς καὶ τοὺς ἀναβαθμοὺς καὶ τὰ προφράγματα, καὶ τὰς θύρας τὰς ἀνοιγομένας ἔξω ἐπώλησεν (taxed, cf. Wachsmuth, *Stadt Athen*, ii 286); and Plutarch, *Poplic.* 20, infers from

the comic poets that in former days the doors of Greek houses usually opened outwards. Mr Kenyon, who regards *thyris* as synonymous with *θύρα*, supposes that the *ἀστυνόμοι* prohibited this. If so, it must have been in defiance of the *ἀστυνόμοι* that the doors of Athenian houses, in the time of the Attic comedy, 'habitually opened outwards.' The fact is far from certain, but it does not concern us here, unless *thyris* is to mean the same as *θύρα*, an opinion which, in the light of the general usage of Greek authors, we can hardly accept.—*θυρίδας* and *θύρας* are, however, sometimes confounded in MSS (see *apparatus criticus* to Aesch. i § 74, συγκλῆθουσι τὰς θύρας, where one MS has *θυρίδας*).

ἀναιροῦσιν] 'take up for burial,' Arist. *Vesp.* 386, Xen. *Anab.* vi 4, 9.

LI § 1. ἀγορανόμοι] *Pol.* 1321 b 12, πρῶτον μὲν οὖν ἐπιμέλεια τῶν ἀναγκαίων ἢ περὶ τὴν ἀγορὰν, ἐφ' ἣ δέ τινα ἀρχὴν εἶναι τὴν ἐφορώσαν περὶ τὰ συμβόλαια καὶ τὴν εὐκοσμίαν, and 1299 b 17. Lys. 22 κατὰ τῶν σιτοπωλῶν, § 16, ἐπὶ μὲν τοῖς ἄλλοις ὧνιους ἅπασιν τοῖς ἀγορανόμοις κατεστήσατε. In Dem. 24 *Timocr.* § 112 the ἀγορανόμος, as well as the ἀστυνόμος, is described as holding a κληρωτὴν ἀρχήν. Arist. *Vesp.* 1407, *Ach.* 724, 968 and Schol. on 896; Xen. *Symp.* ii. 20. Cf. Meier and Schömann p. 101—4 Lipsius; Schömann, *Ant.* p. 416; Büchschenschütz, *Besitz u. Erwerb.* p. 536; Gilbert, i 246; Häderli, *die Astynomen und Agoranomen*.

ἐπιμελεῖσθαι...ὅπως...πωλῇται] At the end of the next sentence the papyrus has ἐπιμελεῖσθαι followed by ὅπως χρῆσονται. In the inscriptions of the fourth century against 37 exx. of ὅπως ἂν c. subj. we have only one of ὅπως, CIA ii 115, 45 (Ditt. no. 106), ἐπιμελεῖσθαι...ὅπως...κομίσωνται: in the same inscr. ὅπως ἂν occurs twice (Meisterhans, p. 212²). Cf. 29 § 3. In this respect the usage of in-

5 κληροῦνται δὲ καὶ μετρονόμοι, πέντε μὲν εἰς ἄστν, πέντε δὲ 2
εἰς Πειραιέα· καὶ οὗτοι τῶν μέτρων καὶ τῶν σταθμῶν ἐπιμελοῦνται
πάντων, ὅπως οἱ πωλοῦντες χρήσονται δίκαιοις.

ἦσαν δὲ καὶ σιτοφύλακες κληρωτοί, πέντε μὲν εἰς Πειραιέα, 3
πέντε δ' εἰς ἄστν, νῦν δ' εἴκοσι μὲν εἰς ἄστν, πεντεκαίδεκα δ' εἰς
10 Πειραιέα. οὗτοι δ' ἐπιμελοῦνται, πρῶτον μὲν ὅπως ὁ ἐν ἀγορᾷ

LI 7 ΧΡΗΣΩΝΤΑΙ: χρήσονται Sidgwick, Rutherford, Blass, H-L, K-W, K³.
8 δὲ καὶ <δέκα> B; κληρωτοὶ <ι> ex Harp. addiderunt K-W. Quidni etiam in vv. 1, 5?
ΠΕΡΑΙΕΑ: Πειραιέα K, K-W, B; Πειραιᾷ H-L. 9 ΕΙΚΟCΙ (littera ι evanida) K,
H-L, B: εἰσί τε K-W. 10 ΠΕΙΡΑΙΕΑ K, K-W, B: πειραιᾷ H-L.

§ 2 *Harp. μετρονόμοι: ἀρχὴ τις Ἀθήνησιν ἔστιν ἡ τῶν μετρονόμων... ἦσαν δὲ τὸν ἀριθμὸν ἱ, εἰ μὲν εἰς Πειραιᾷ, εἰ δ' εἰς ἄστν (legebatur τὸν ἀριθμὸν ἱε, εἰς μὲν τὸν Π. ἱ, εἰ δὲ εἰς ἄστν: epitomes ope correxerit Dind. collato Voemelio in Bergkii *Ephem. antiq.* 1852, p. 31): εἶχον δὲ τὴν ἐπιμέλειαν ὅπως δίκαια ἦ τὰ μέτρα τῶν πωλούντων, ὡς καὶ Ἀρ. ἐν τῇ Ἀθ. πολ. δηλοῖ. Bekk. *An.* p. 278, 25: ἀρχὴ τις Ἀθήνησι κληρωτῇ ἡ τῶν μετρονόμων, δέκα τὸν ἀριθμὸν, ὧν πέντε μὲν ἦσαν ἐν τῷ Πειραιεῖ, πέντε δὲ ἐν ἄστει. οὗτοι δὲ τὴν ἐπιμέλειαν εἶχον ὅπως δίκαια ἦ τὰ μέτρα τῶν πωλούντων. Photius: ἀρχόντες ἦσαν δέκα τὸν ἀριθμὸν, ὧν πέντε μὲν ἐν ἄστει, πέντε δ' ἐν Πειραιεῖ· καὶ εἶχον τὴν ἐπιμέλειαν ὅπως—πωλούντων (cf. *Frag.* 412², 452³).

§ 3 *Harp. σιτοφύλακες: ἀρχὴ τις ἦν Ἀθήνησιν, ἥτις ἐπιμελεῖτο ὅπως ὁ ὅσιος δίκαιος παρῆσεται καὶ τὰ ἄλφита καὶ οἱ ἄρτοι. ἦσαν δὲ τὸν ἀριθμὸν ἱ, εἰ μὲν ἐν ἄστει (τὸν ἀριθμὸν ἱε μὲν ἐν ἄστει), εἰ δ' ἐν Πειραιεῖ, ὡς Ἀρ. ἐν Ἀθ. πολ. Photius: ἀρχὴ τις—ἄρτοι. ἦσαν δὲ τὸν ἀριθμὸν πάλαι μὲν πέντε καὶ δέκα ἐν ἄστει, πέντε δὲ ἐν Π. ὕστερον δὲ τριάκοντα μὲν ἐν ἄστει, πέντε δ' ἐν Π. Bekk. *An.* 300, 19: ἀρχόντες Ἀθήνησι κληρωτοί. οὗτοι δ' ἐπιμελοῦντο ὅπως — οἱ ἄρτοι κατὰ τὰ ὠρισμένας τιμὰς καὶ τὸν σταθμὸν (*Frag.* 411², 451³).

scriptions differs from that of ordinary literature. In the latter ὅπως ἂν is less common; ὅπως with the future indicative is frequent in both. See Goodwin's *Moods and Tenses*, §§ 339, 348, ed. 2; Madvig, *Gk. Syntax*, §§ 122—123.

§ 2. μετρονόμοι] The numbers given in the text, five for the city and five for the Peiraeus, confirm the account in Photius, s.v. art. 1, and Bekker's *Anecd.* 278, 25 (accepted by Voemel, and Gilbert, i 247). The mss of Harpocr. have: ἦσαν δὲ τὸν ἀριθμὸν ἱε, εἰς μὲν τὸν Πειραιᾷ ἱ, εἰ δ' εἰς ἄστν. Boeckh accepts 15 as the total, but assigns five to the Peiraeus and ten to the city. Dindorf corrects Harpocr. thus: ἦσαν δὲ τὸν ἀριθμὸν ἱ, εἰ μὲν εἰς τὸν Πειραιᾷ, εἰ δ' εἰς ἄστν, and this is confirmed by the text.

τῶν μέτρων καὶ τῶν σταθμῶν] These are the subject of a long inscr. in CIA ii 476, early in first century B.C., discussed in Boeckh, *Staatsk.* ii 318—332 Fränkel. The ἀρχόντες mentioned in the inscr. are doubtless the μετρονόμοι.

ἐπιμελοῦνται... ὅπως... χρήσονται] The papyrus has χρήσονται. 'Quicumque Codices Graecos paulo diligentius inspexit saepissime vidit libranos ὅπως et

ὅπως μὴ cum coniunctivi aoristis [primis] coniungere, ubi veteres indicativi futurum possuissent' (Cobet, *Nov. Lect.* 266). Cf. l. 3.

§ 3. σιτοφύλακες] Harpocr. s.v. ἦσαν δὲ τὸν ἀριθμὸν ἱε (ἱε, ἱ Valesius) μὲν ἐν ἄστει, εἰ δ' ἐν Πειραιεῖ. These numbers, as altered by Valesius, seemed to be confirmed by Photius, ἦσαν δὲ τὸν ἀριθμὸν πάλαι μὲν πεντεκαίδεκα, <ι> ἐν ἄστει, εἰ δ' ἐν Πειραιεῖ, and were accepted by Boeckh. But the text, which is Harpocraton's authority for his statements, shews that ἱε must be separated in Photius, as well as in Harpocraton, so that we get 10 in all, 5 in the city and 5 in the Peiraeus. In *Lys.* 22 § 8 (of the σιτοφύλακες), οἱ μὲν τέσσαρες (Bergk, for δύο, a corruption of δ') are contrasted with another member of the board, Anytus. Cf. Boeckh, i 105 Fränkel; Gilbert, i 247.

κληρωτοί] *Lys.* 22 § 16, σιτοφύλακας ἀποκληροῦτε.

νῦν δ' εἴκοσι κτλ.] Photius, ὕστερον δὲ ἕξ μὲν ἐν ἄστει, εἰ δ' ἐν Πειραιεῖ. Here the total is correct, but the text shews that Photius ought to have said: κ' μὲν ἐν ἄστει, ἱε δ' ἐν Π.

σίτος ἀργὸς ὥνιος ἔσται δικαίως, ἔπειθ' ὅπως οἱ τε μυλωθροὶ πρὸς τὰς τιμὰς τῶν κριθῶν τὰ ἄλφιστα πωλήσουσιν καὶ οἱ ἀρτοπῶλαι πρὸς τὰς τιμὰς τῶν πυρῶν τοὺς ἄρτους, καὶ τὸν σταθμὸν ἄγοντας ὅσον ἂν οὗτοι τάξωσιν· ὁ γὰρ νόμος τούτους κελεύει τάττειν.

- 4 ἐμπορίου δ' ἐπιμελητὰς δέκα κληροῦσιν· τούτοις δὲ προσ-¹⁵ τέτακται τῶν τ' ἐμπορίων ἐπιμελεῖσθαι, καὶ τοῦ σίτου τοῦ καταπλέοντος εἰς τὸ Ἀττικὸν ἐμπόριον τὰ δύο μέρη τοὺς ἐμπόρους ἀναγκάζειν εἰς τὸ ἄστυ κομίζειν.

52. καθιστᾶσι δὲ καὶ τοὺς ἔνδεκα κληρωτοὺς, ἐπιμελησομέ-

12 πωλήσουσι H-L. 17 CITIKON K, K-W, H-L: Ἀττικὸν ex Harp. Torr; ἀστικὸν quondam proposui coll. Bekk. *An.* 255, 208, 284, 456; accepit B: nunc unice verum arbitror Ἀττικὸν, etenim σιτικὸν et ἀστικὸν oculi errore e proximis verbis σίτου et ἄστυ videntur irrepisse.

LII 1 <τοὺς> ἐπιμελησομένους Rutherford, H-L; cf. Heracl. in Testimoniis.

§ 4 *Harp. ἐπιμελητὴς ἐμπορίου: ... Ἀρ. "ἐμπορίου δ' ἐπιμελητὰς — τοῦ σίτου τοῦ καταπλέοντος εἰς τὸ Ἀττικὸν ἐμπόριον — κομίζειν" (Frag. 409², 449³). Bekk. *An.* 255, 22: ἐμπορίων ἄρχοντες ἦσαν κληρωτοί, δέκα τὸν ἀριθμὸν, ἐκάστου ἔτους καθιστάμενοι, οἷς προσετέτακτο τῶν ἐμπορίων ἐπιμελεῖσθαι, καὶ τοῦ σίτου τοῦ καταπλέοντος εἰς τὸ ἐμπόριον τὸ ἀστικὸν τὰ δύο μέρη τοὺς ἐμπόρους ἀναγκάζειν (reliqua propter ὁμοιοτέλειαν omitta)...ib. 208, 26 ἀστικὸν ἐμπόριον· ὅπου οἱ ἀστοὶ ἐμπορεῖνται. ἦν δὲ καὶ ἄλλο ξενικόν, ὅπου οἱ ξένοι (cf. 284, 6; 456, 3).

TESTIMONIA. LII 1 Heraclidis epitoma; Rose, Frag. 611, 8: ὁμοίως δὲ "καθιστᾶσι καὶ τοὺς ἔνδεκα" τοὺς (secl. K-W; sed fortasse e κληρωτοῦς exortum) "ἐπιμελησομένους τῶν ἐν τῷ δεσμοτηρίῳ." Pollux viii 102: οἱ ἔνδεκα: εἰς ἀφ' ἐκάστης φυλῆς ἐγένετο καὶ γραμματεὺς αὐτοῖς συνηριμείτο...ἐπεμελοῦντο δὲ "τῶν ἐν τῷ δεσμοτηρίῳ" καὶ ἀπήγον κλέπτας ἀνδραποδιστὰς λωποδύτας, εἰ μὲν ὁμολογοῖεν, θανατώσαντες, εἰ δὲ μή, εἰσάγοντες εἰς τὰ δικαστήρια, κᾶν ἄλῳσιν, ἀποκτενοῦντες. Bekk. *An.* 310, 14: οἱ ἔνδεκα τοὺς κλέπτας καὶ τοὺς λωποδύτας καὶ τοὺς ἀνδραποδιστὰς ὁμολογοῦντας μὲν ἀποκτενύνουσιν, ἀντιέχοντας δὲ εἰσάγουσιν "εἰς τὸ δικαστήριον" (Frag. 429³). Phot.

σίτος ἀργός] 'unprepared corn,' Hippocr. *Vet. Med.* 12, πυροὶ ἀργοί. The position of ἀργός (after, instead of before, σίτος) is defended by *Eth. Nic.* vi 4, 2, ἡ μετὰ λόγου ἔξις πρακτικὴ ἑτερόν ἐστι τῆς μετὰ λόγου ποιητικῆς ἔξεως, quoted by Dr Jackson to prove that part of a complex epithet may be placed after the article and substantive. Mr Newman adds *Pol.* 1252 b 27, ἡ ἐκ πλείωνων κωμῶν κοινωνία τέλειος πόλις ἦδη.

§ 4. ἐμπορίου...ἐπιμελητὰς] All that is known of these officials apart from the statement in the text, is that they were the proper authority to receive legal notice (φάσις) of any infringement of the law forbidding citizens and resident aliens lending money on the security of a cargo bound for any other port than that of Athens. Dem. 35 §§ 50, 51, ἐάν τις... χρήματα δανείσῃ εἰς ἄλλο τι ἐμπόριον ἢ τὸ Ἀθηναίων; 58 §§ 8, 9 (Gilbert, i 248). Cf. Meier and Schömann, p. 98 Lips. The ἐμπόριον extended over the greater part of the east shore of the harbour of the

Peiraeus; Wachsmuth, *Stadt Athen*, ii 96—esp. 114.

ἐμπόριον] After τοῦ σίτου the epithet σιτικὸν (which is first found in Polybius) is redundant. The variant Ἀττικὸν in Harpocration's quotation of this passage is supported by Dem. 34 § 36, Ἀθήναζε εἰς τὸ Ἀττικὸν ἐμπόριον σιτηγεῖν, and § 37, εἴ τις...ἄλλοσέ ποι σιτηγήσειεν ἢ εἰς τὸ Ἀττικὸν ἐμπ., 35 § 28 τοῦ ὑμετέρου ἐμπορίου (quoted by Mr Torr). ἀστικὸν is suggested by Bekk. *Anecd.* 208, ἀστικὸν ἐμπόριον· ὅπου οἱ ἀστοὶ ἐμπορεῖνται. ἦν δὲ καὶ ἄλλο ξενικόν, ὅπου οἱ ξένοι, cf. 255, 284, 456. One of the parts of the ἐμπόριον in the Peiraeus was the στοὰ ἀλφιδόπωλις, also called the μακρὰ στοὰ (Dem. 34 § 37, cf. Thuc. viii 90, 5, Wachsmuth, *u. s. p.* 101); but I can find no authority for applying the epithet σιτικὸν to the ἐμπόριον, or to any part of it, at or before the date when the text was written.

LII § 1. τοὺς ἔνδεκα] c. 7 § 3. Schömann, p. 414; Gilbert, i 243; *Dict. Ant.* i 942.

νους τῶν ἐν τῷ δεσμοτηρίῳ, καὶ τοὺς ἀπαγομένους κλέπτας καὶ τοὺς ἀνδραποδιστὰς καὶ τοὺς λωποδύτας, ἂν μὲν [ὁμολογῶ]σι, θανάτῳ ζημιώσοντας, ἂν δ' ἀμφισβητῶσιν, εἰσάξοντας εἰς τὸ δικαστήριον, κἂν μὲν ἀποφύγωσιν, ἀφήσοντας, εἰ δὲ μή, τότε θανατώσοντας, καὶ τὰ [ἀ]πογραφόμενα χωρία καὶ οἰκίας εἰσάξοντας εἰς τὸ δικαστήριον, καὶ τὰ δόξαντα δ[ημ]όσια εἶναι παραδώσοντας τοῖς πωληταῖς, καὶ τὰς ἐνδείξεις εἰσάξοντας· καὶ γὰρ ταύτας εἰσάγουσιν οἱ ἔνδεκα. εἰσάγουσι δὲ τῶν ἐνδείξεων τινὰς καὶ οἱ θεσμο-
10 θέται.

κληροῦσι δὲ καὶ εἰσαγωγέας πέντε ἄνδρας, οἱ τὰς ἐμμήνους 2

2 <κακούργους, τοὺς τε> κλέπτας, K-W, coll. Etym. Mag. 3 τοὺς bis delent H-L. 3, 4 ἂν bis H-L. 4 ΖΗΜΙΩΘΗCONΤΑCENΔ corr K.

ἡγεμονία δικαστηρίου... τοῖς ἔνδεκα ὅσαι ληστὰς καὶ λωποδύτας καὶ ἀνδραποδιστὰς εἰσάγουσι. Etym. M. 338, 31: κληρωτοὶ ἄρχοντες ἦσαν οὗτοι, προεστηκότες τοῦ δεσμοτηρίου· καὶ τοὺς ἀπαγομένους κακούργους ἐπὶ θάνατον παραλαμβάνοντες ἐξημίου· τοὺς δὲ ἀμφισβητοῦντας εἰσῆγον “εἰς τὸ δικαστήριον” καὶ τὸ γνωσθὲν περὶ αὐτῶν ἔπραττον. εἰσῆγον δὲ “καὶ τὰ ἀπογραφόμενα χωρία <καὶ Schleusner> οἰκίας” καὶ τὰ “δημόσια εἶναι” δόξαντα παρεδίδουν τοῖς πολίταις (πωληταῖς Schleusner). εἰσῆγον δὲ ἑνίας ἐνδείξεις. Bekk. An. 250, 4: ... καὶ τοὺς ἀγομένους ἐπὶ κακουρήμασι παραλαμβάνον κλέπτας καὶ ἀνδραποδιστὰς καὶ φονεῖς. καὶ τοὺς μὲν ὁμολογοῦντας θανάτῳ ἐξημίου, τοὺς δὲ ἀμφισβητοῦντας εἰσῆγον εἰς δικαστήριον. Schol. Arist. *Vesp.* 1108: ἡ τῶν ἔνδεκα ἀρχὴ τοὺς μὲν ὁμολογοῦντας καὶ ἀνδραποδιστὰς καὶ λωποδύτας θανάτῳ ἐκόλαζον, τοὺς δὲ ἀρνούμενους εἰς δικαστήριον εἰσῆγον. εἰσῆγον δὲ καὶ τὰς ἐνδείξεις. Schol. Patm. Dem. p. 11, 16, Sakkellion; Schol. Lucian. iv 170 Jacobitz.

§ 2 Pollux viii 101: εἰσαγωγεῖς οἱ “τὰς ἐμμήνους δικας” εἰσάγοντες· ἦσαν δὲ

ἀπαγομένους κλέπτας... ἀνδραποδιστὰς... λωποδύτας] Isocr. *Antid.* § 90, τοῖτον ἀπαγάγων ἀνδραποδιστὴν καὶ κλέπτην καὶ λωποδύτην. Meier and Schöm. p. 273—6, Lips. Pollux ἀνδραποδιστῆς ὁ τὸν ἐλεύθερον καταδουλούμενος ἢ τὸν ἀλλότριον οἰκέτην ὑπαγόμενος.

κλέπται, ἀνδραποδισταὶ καὶ λωποδύται came under the general heading of κακούργοι; cf. [Dem.] 35 *Lacr.* 47, τοιχωρύχους καὶ κλέπτας καὶ τοὺς ἄλλους κακούργους τοὺς ἐπὶ θανάτῳ οὗτοι (sc. οἱ ἔνδεκα) εἰσάγουσιν, *Androt.* §§ 26—28. Cf. Meier and Schöm. p. 86 Lips.

ἂν μὲν ὁμολογῶσι κτλ.] Aeschin. i § 113, οἱ δὲ νόμοι κελεύουσι τῶν κλεπτῶν τοὺς μὲν ὁμολογοῦντας θανάτῳ ζημιοῦσθαι, τοὺς δ' ἀρνούμενους κρίνεσθαι, and Dem. in *Timocr.* § 65, τῶν... κακούργων τοὺς ὁμολογοῦντας ἀνεῦ κρίσεως κολάζειν οἱ νόμοι κελεύουσιν. Schol. Arist. *Vesp.* 1108, ἡ τῶν ἔνδεκα ἀρχὴ τοὺς μὲν ὁμολογοῦντας καὶ ἀνδραποδιστὰς καὶ λωποδύτας θανάτῳ ἐκόλαζον, τοὺς δὲ ἀρνούμενους εἰς δικαστήριον εἰσῆγον. These passages (quoted in *Class. Rev.* v 224) prove the incorrectness of the interpretation suggested in the *Saturday Review*, March 21,

1891, p. 359 ‘if (the Eleven) are *unanimous*... or if they *disagree*.’ See also the passages quoted in the *Testimonia*.

θανάτῳ] Dem. 4 § 47, τὸν ἀνδραποδιστῶν καὶ λωποδυτῶν θάνατον... κακούργου μὲν γὰρ ἐστὶ κριθέντ’ ἀποθανεῖν.

τὰ ἀπογραφόμενα χωρία κτλ.] Our knowledge of this part of the duties of the Eleven has hitherto been derived from the Etym. Magn. 338, 35, which is obviously quoted from the text: see *Testimonia*. Meier and Schömann, p. 88 Lipsius.

πωληταῖς] 47 § 2.

τὰς ἐνδείξεις] Schol. Arist. *Vesp.* 1108, εἰσῆγον δὲ καὶ τὰς ἐνδείξεις. Bekker, *Anecd.* 250, 11, τῶν δὲ ἐνδείξεων εἰσέφερον εἰς δικαστήριον ἃς μὲν οἱ ἔνδεκα, ἃς δὲ οἱ θεσμοθέται. Etym. Mag. 338, 39, εἰσῆγον δὲ ἑνίας ἐνδείξεις (Meier and Schömann, p. 87 Lipsius). The text does not enable us to distinguish between the ἐνδείξεις under the control of the Eleven, and those under that of the Thesmothetae. The general statement, καὶ γὰρ ταύτας εἰσάγουσιν οἱ ἔνδεκα, is modified in the following sentence.

§ 2. εἰσαγωγέας] These officials are

εἰσάγουσι δίκας, δυοῖν φυλαῖν [ἔ]καστος· εἰσὶ δ' ἔμμηνοι προικός, εἴαν τις ὀφείλων μὴ ἀποδῶ, κἄν τις ἐπὶ δραχ[μ]ῇ δανεισάμενος ὑποστερῇ, κἄν τις ἐν ἀγορᾷ βουλόμενος ἐργάζεσθαι δανείσθαι παρὰ [τι]νος ἀφορμῇ· ἔτι δ' αἰκείας καὶ ἐρανικαὶ καὶ κοινωνικαὶ 15 καὶ ἀνδραπόδων καὶ ὑποζυγίων καὶ τριηραρχίας καὶ τραπεζιτι-

13 ΑΠΟΔΩΙ (Κ) cf. Lys. 30 § 22 δύο τάλαντα ἀποδοῦναι· ἀποδιδῶ Blass, Kontos, K-W, H-L; cf. Dem. 34 § 13 οὐδ' ἀποδίδωσι τὸ δάνειον. ἐπὶ δραχμῇ· ὑπὲρ δραχμῇ H-L.

14 ἐν· ΕΑΝ.

15 ΔΙΚΕΙΑΣ (Κ, H-L, B): αἰκίας K-W. ΕΡΑΝΙΚΑΣ—

ΚΟΙΝΩΝΙΚΑΣ (Κ¹, B): ἐρανικαὶ—κοινωνικαὶ Bury, K-W, H-L, K³. 'Desiderantur autem ἔμπορικαί, cf. Poll.' (B).

16 ΤΡΙΗΡΑΡΧΙΑΣ (Κ, H-L, B): τριηραρχικαὶ Bury (K-W). ΤΡΑΠΕΖΙΤΙΚΑΣ (B): τραπεζιτικά Bury, K-W, H-L, K³.

προικός, ἐρανικαὶ, ἔμπορικαί. Hesych. εἰσαγωγή (εἰσαγωγῆς=εἰς Scaliger): ἀρχή 'Ἀθήνησι τῶν τὰ ἐγκλήματα (leg. ἔμμηνα K-W) εἰσαγόντων (cf. Schol. Dem. *Mid.* § 3).

mentioned twice in Pollux viii 93, ἀρχῆς κληρωτῆς ὄνομα, and 101, εἰσαγωγεῖς οἱ τὰς ἐμμήνους δίκας εἰσάγοντες, ἦσαν δὲ προικός, ἐρανικαὶ, ἔμπορικαί. But their existence was doubted by Meier. These doubts were dispelled in 1869 by the publication of an inscr. of B.C. 425/4 relating to the superintendence of judicial proceedings connected with the assessment of the tribute; CIA i 37, 47, ἐπὶ τῶν εἰσαγωγέων (Meier and Schömann, p. 94 Lips.; Gilbert, i 396). The text shews that their number was five; not ten, as had been conjectured.

Pollux is mistaken in placing ἔμπορικαί δίκαι under the control of the εἰσαγωγεῖς. These were under the Thesmothetae as is proved by passages in the Orators, and by c. 59 § 5, quoted elsewhere by Pollux himself. In CIA i 38, frag. f, certain ἐπιμεληταὶ are appointed to attend to cases of delay in the payment of tribute, οἱ δὲ ἐπιμεληταὶ εἰσαγόντων ἔμμηνα ἐς τὸ δικαστήριον, thus shewing that at that time (probably shortly after 432 B.C.) there were some ἔμμηνοι δίκαι not under the care of the εἰσαγωγεῖς (Gilbert, i 358).

τὰς ἐμμήνους—δίκας] Lawsuits which had to be decided within a month (Meier and Schöm. p. 906 f.). They are first mentioned in B.C. 425/4, CIA i 38 (quoted in last note). The text mentions several varieties of such lawsuits that are omitted by Pollux.

προικός] actions for restitution of dowry.

(1) If the husband divorced his wife, he was bound to return the dowry or to pay interest at the rate of 18 per cent. per annum (Dem. *Apb.* i 17, *Neacr.* 52). The κύριος might enforce these claims by a προικὸς δίκη (Isaeus 3 §§ 9, 78). (2) A similar action might be brought against the heirs who kept a widow out of her

rights. The δίκαι προικός in the text are limited by the definition in the next clause, εἴαν τις ὀφείλων μὴ ἀποδῶ.

κἄν τις—ἀποστερῇ] The benefit of the expeditious process for recovery of debts is here limited to creditors who are satisfied with what in Athens was regarded as the moderate rate of 12 per cent. (Dem. *Apb.* i 23, 35; Aesch. *Ctes.* 104; cf. Boeckh, i 156 Fränkel). Those who charge higher rates, such as 16, 18 or even 36 per cent., are excluded from this privilege. Lipsius in *Leipzig. Verhandlungen*, 1891, p. 57 n.

ἀφορμῇ] 'capital.' The speech of Dem. *pro Phormione* is a παραγραφή to a δίκη ἀφορμῆς. The text refers to the case of a small tradesman setting up business in the market-place and refusing to repay the capital he had borrowed for the purpose.

αἰκείας] Meier and Schöm. p. 647 f. Lips. About B.C. 346/5, according to Dem. *c. Pantaenetum* 37 § 33, the tribunal in such cases was the Forty; cf. Schol. Plat. *Rep.* 464 E. The text implies that the tribunal had been changed.

ἐρανικαί] lawsuits for the recovery of friendly loans, or for the decision of disputes between various members of an ἔρανος (Meier and Schöm. p. 637—643 Lips.).

κοινωνικαί] suits against corporations (Meier and Schömann, p. 767 Lips.). In Dem. 14 § 16 κοινωνικά probably means property held by corporations (*ib.* p. 602, Lips. note 321).

ἀνδραπόδων] Dem. *Callicl.* 55 §§ 31, 34 (Meier and Schömann, p. 766). By the law of Solon quoted in Lys. *c. Theomnest.* i 19, (the owner was liable) οἰκῆος καὶ δούλης βλάβην ὀφείλει, cf. Plat. *Leg.* 936 D. On ὑποζυγίων κτλ. see next page.

καί. οὗτοι μὲν οὖν ταύτας δικάζουσιν ἐμμήνους εἰσάγ[ου]τες, οἱ δ' 3
ἀποδέκται τοῖς τελώναις καὶ κατὰ τῶν τελωνῶν, τὰ μὲν μέχρι δέκα
δραχμῶν ὄντες κύριοι, τὰ δ' ἄλλ' εἰς τὸ δικαστήριον εἰσάγοντες
20 ἔμμηνα.

53. κληροῦσι δὲ καὶ τετταράκοντα, τέτταρας ἐκ τῆς
φυλῆς ἐκάστης, πρὸς οὓς τὰς ἄλλας δίκας λαγχάνουσιν· οἱ

18 δέκα <(=δραχμῶν).

LIII 1 <τοὺς> τετταράκοντα K-W.

1—2 ΕΚ ΤΗΣ ΦΥΛΗΣ (casu obliteratum)

ΦΥΛΗΣ

ΕΚΑΣΤΗΣ ἐξ ἐκάστης φυλῆς K¹; ἐκ τῆς φυλῆς ἐκάστης K-W, H-L, K³, B.
2 ἄλλας: ἰδίας Wyse.

§ 3 Pollux viii 97: ἀποδέκται δὲ ἦσαν δέκα, οἱ τοὺς φόρους καὶ τὰς εἰσφοράς καὶ τὰ
τέλη ὑπεδέχοντο, καὶ τὰ περὶ τούτων ἀμφισβητούμενα ἐδίκαζον. εἰ δέ τι μείζον εἴη,
εἰσῆγον εἰς δικαστήριον.

LIII § 1 * Harp. κατὰ δήμους δικαστάς...περὶ τῶν κατὰ δήμους δικαστῶν, ὡς “πρότερον
μὲν—ἐδίκαζον,” εἰτα ἐγένοντο τετταράκοντα, εἰρηκεν Ἀρ. ἐν τῇ <Ἀθηναίων addidit
Meier> πολιτείᾳ. Pollux viii 101: οἱ δὲ τετταράκοντα “πρότερον μὲν ἦσαν
τριάκοντα,” οἱ περιόντες κατὰ δήμους τὰ μέχρι δραχμῶν δέκα ἐδίκαζον, τὰ δὲ ὑπὲρ
ταῦτα τοῖς διαιτηταῖς παρείδοντο. “μετὰ δὲ τὴν τῶν τριάκοντα ὀλιγαρχίαν” μίσει τοῦ
ἀριθμοῦ τοῦ τριάκοντα τετταράκοντα ἐγένοντο. Phot.: κληρωτὴ τις ἦν Ἀθήνησιν
ἀρχὴ μ (μετὰ cod.) τὸν ἀριθμὸν, οἱ τὰς ἰδιωτικὰς δίκας ἐδίκαζον· ἀλλὰ τὰς μὲν ἄχρι
“δέκα δραχμῶν αὐτοτελεῖς” ἦσαν δικάζειν, τὰς δὲ ὑπὲρ ταύτας τοῖς διαιτηταῖς παρείδουν.
Bekk. An. 306, 15: ἀρχὴ τις ἐστὶ κληρωτὴ τεσσαράκοντα τὸν ἀριθμὸν πρὸς οὓς αἱ ἰδίας
δίκαι ἐλαγχάνοντο καὶ τὰ “μέχρι δέκα δραχμῶν.” “τὰ δ' ὑπὲρ τοῦτο τὸ τίμημα τοῖς
διαιτηταῖς παραδίδασιν” (cf. p. 310, 22; Frag. 413², 453³).

l. 16. ὑποζυγίων] actions arising out
of damage done by beasts of draught or
burden. Cf. Solon's law in Plut. Sol.
24; and Plat. Leg. 936 E, ἐὰν υποζύγιον ἢ
ἵππος (Dinarch. c. Antiph. περὶ ἵππου) ἢ
κύων (Lys. περὶ τοῦ κυνὸς ap. Harpocr.
s. v. καρκίνος) ἢ τι τῶν ἄλλων θρεμμάτων
σίνηται τι τῶν πέλας, κατὰ ταῦτα ἐκτίνειν
τὴν βλάβην (τὸν δεσπότην). The special
case of homicide caused by a υποζύγιον
ἢ ζῶον ἄλλο τι is considered *ib.* 873 E
(*inf.* c. 57 *ad fin.*).

τριτταρχίας] The speech delivered by
Apollodorus against Polycles, [Dem.] Or.
52, belongs to this class. Polycles failed
to join his ship for four months after the
official year had expired, and his prede-
cessor Apollodorus had incurred extra ex-
penses for which he sues Polycles.

πραξιτικαί] In the *Praxiticus* of
Isocr. the banker Pasion is accused of re-
putation and forgery.—δικαι μεταλλικαί
καὶ ἐμπορικαί are not included in the list,
probably because they came under the
ἡγεμονία of the Thesmothetae (Dem. c.
Apol. § 12, and *inf.* 59 § 5).

§ 3. δικάζουσιν] *i.e.* ‘have the ἡγε-
μονία τοῦ δικαστηρίου in these law-suits,’
Meier and Schöm. p. 43 Lips. Cf. c. 57
ad fin.

ἀποδέκται] c. 48 § 1.

τοῖς τελώναις] *e.g.* the farmers of the
public taxes were allowed to bring a
φάσις against any one suspected of de-
frauding the revenue. They might even
arrest him and bring him before a magis-
trate. Cf. Gilbert, i 335.

LIII § 1. τετταράκοντα] a body of
officials instituted by Peisistratus under
the name of οἱ κατὰ δήμους δικασταί (16
§ 5), revived in B.C. 453/2 (26 § 3), and
(as stated in the text) increased in number
from 30 to 40 after the time of the Thirty
tyrants. They are mentioned in Isocr.
Antid. 237, ἐν δὲ ταῖς τῶν τετταράκοντα
(σανίσιν ἀναγκαῖον ἐνεῖναι) τοὺς τ' ἐν τοῖς
ἰδίοις πράγμασιν ἀδικούντας καὶ τοὺς μὴ
δικαίως ἐγκαλοῦντας. In Dem. *Panl.* 33
we are told that cases of αἰκεία and τὰ
τῶν βιαίων came under their jurisdiction.
They are described as appointed by lot
in *Timocr.* 112, εἰ μὲν τις ἀγορανόμος ἢ
ἀστυνόμος ἢ δικαστὴς κατὰ δήμους κλοπῆς
ἐν ταῖς εὐθύναις ἐάλωκεν, ἄνθρωπος πένης
καὶ ἰδιώτης καὶ πολλῶν ἄπειρος καὶ κληρωτὴν
ἀρχὴν ἄρξας. It was only in unimportant
cases, where the matter in dispute was
not above the value of 10 drachmas, that
they were competent to decide on their
own authority: other cases they referred,

πρότερ[ον] μὲν ἦσαν τριάκοντα, καὶ κατὰ δῆμους περιιόντες ἐδίκα-
ζον, μετὰ δὲ τὴν ἐπὶ τῶν τριάκοντα ὀλιγαρχία[ν] τετταράκοντα
ol. 27.]² γεγόνασιν. καὶ τὰ μὲν || μέχρι. δέκα δραχμῶν αὐτοτελεῖς εἰσὶ 5
[κρίνει]ν, τὰ δ' ὑπὲρ τοῦτο τὸ τίμημα τοῖς διαιτηταῖς παραδιδόασιν.
οἱ δὲ παραλαβόντες, [ἐ]ὰν μὴ δύνωνται διαλύσαι, γιγνώσκουσι,
καὶ μὲν ἀμφοτέροις ἀρέσκη τὰ γνωσθέντα [καὶ] ἐμμένωσιν, ἔχει
τέλος ἡ δίκη. ἂν δ' ὁ ἕτερος ἐφῇ τῶν ἀντιδίκων εἰς τὸ δικαστήριον,
ἐμβαλόντες τὰς μαρτυρίας καὶ τὰς προκλήσεις καὶ τοὺς νόμους εἰς 10
ἐχίνους, χωρὶς μὲν τὰς τοῦ διώκοντος, χωρὶς δὲ τὰς τοῦ φεύγοντος,

3 περιοντες retinent K-w² (et B) coll. Hyper. i 13, 6 et ii 2, 12: περιόντες K,
K-w¹, H-L. 4 ἐπὶ supra versum, non habet Pollux. 7 ΓΙΓΝΩΣΚΟΥΣΙ
γιγνώσκουσι (coll. 54, 7 et Herondae papyro v 21) B: sed cf. Meisterhans, p. 141,
17². 9 εἰαν H-L.

§ 2 *Harp. διαιτηταί: ... καὶ εἰ μὲν ἤρεσκε τοῖς ἀντιδίκους, τέλος εἶχεν ἡ δίκη· εἰ δὲ μὴ,
τὰ ἐγκλήματα καὶ τὰς προκλήσεις καὶ τὰς μαρτυρίας, ἔτι δὲ καὶ τοὺς νόμους καὶ τὰς
ἄλλας πίστεις ἑκατέρων ἐμβαλόντες εἰς καθίσκους καὶ σημηνάμενοι παρεδίδωσαν τοῖς
εἰσαγωγέσιν τῶν δικῶν. λέγει δὲ περὶ αὐτῶν Ἀρ. ἐν Ἀθ. πολ. Pollux viii 126: ἡ δ'
ἔφεισιν αὐτῶν εἰ εἰς δικαστήριον γένοιτο, εἰς ἐχίνον τὰς ψήφους (sic) ἐμβαλόντες ἰδίᾳ
ἑκάτερας τὰς τοῦ φεύγοντος καὶ διώκοντος κατεσημαίνοντο. Bekk. An. 235, 20.

11 *Harp. ἐχίνος: ἔστι μὲν ἄγγος τι εἰς ὃ τὰ γραμματεῖα τὰ πρὸς τὰς δίκας ἐτίθεντο...
μνημονεύει τοῦ ἄγγους τούτου καὶ Ἀρ. ἐν τῇ Ἀθ. πολ.... Phot. i 240 Naber, ἐχίνοι: οἱ
μὲν χαλκοὶ, οἱ δὲ ἐκ κεράμου· εἰς οὓς καθιᾶσιν οἱ διαιτηταί τὰ γραμματεῖα τῶν μαρτυριῶν
ἃ τινες ἐμαρτύρησαν, καὶ κατασημηνάμενοι μετὰ ταῦτα εἰ ἐγκληθῆναι ἡ δίατα τοῖς δικασταῖς
ἐπεδίδουν (fere eadem habet *Schol. Arist. Vesp. 1436, additis τοῦ δ' ἄγγους τούτου
καὶ Δημοσθένους μνημονεύοντι καὶ Ἀρ.). Phot. ἐχίνος: καθίσκος τις ἐστὶ χαλκοῦς, εἰς ὃν
αἱ τε μαρτυρίαι καὶ αἱ προκλήσεις ἐγγραφοὶ ἐνεβάλλοντο ὑπὸ τῶν δικαζομένων καὶ κατε-
σημαίνοντο ἵνα μηδεὶς κακουργήσῃ περὶ τὰ ἐμβαλλόμενα (fere eadem Etym. M.; καὶ
κατεσημαίνετο ὁ ἐχίνος, ἵνα μηδεὶς κακουργήσῃ μετὰ τὸ ἀπαξ ἐμβάλλεσθαι, Bekk. An.
258, 6). Cf. Frag. 415², 455³.

in the first instance, to the arbitrators,
and, if necessary, to the law-courts. Cf.
Gilbert, i 358.

Most of the cases concerned with the
rights of property were supposed by
Meier to come under the jurisdiction of
the Thesmothetae. Lipsius, in his re-
vised edition of Meier and Schömann, p.
93, (1) assigns them to the Forty; he
also (2) identifies the δικασταὶ κατὰ δῆ-
μους with the δικασταὶ concerned with
the several tribes (ib. p. 90 n.). Thus
they could act in their several divisions
of four for each of the ten tribes. Lastly,
(3) he holds that after a time they ceased
to go on circuit and held their court in
Athena. The first of these opinions is
opposed by Caillemier in Daremberg and
Saglio, *Dict. Ant.* iii 200 f.; but all three
are confirmed by the text. (1) is sup-
ported by τὰς ἄλλας δίκας, whereby they
have jurisdiction over all causes not as-
signed to the Eleven, the εἰσαγωγεῖς and
ἀποδέκται. (2) by c. 48 § 5, οἱ τὴν φυλὴν
εἰσάγοντες, 58 § 2, οἱ τὴν φυλὴν δικά-
ζοντες, and *inf.* § 2, οἱ τὴν φυλὴν τοῦ

φεύγοντος δικάζοντες.

λαγχάνουσιν] sc. 'the suitors.'

§ 2. μέχρι δέκα δραχμῶν] In B.C.
445/4 (CIA i 29 and iv p. 12) we have
mention of a court probably consisting
of thirty members, appointed by lot from
the κληροῦχοι of Hestiaia and Ellopia and
competent to decide cases of this kind.
In *Pol.* 1300 b 23 and 32, Ar. approves
of the institution of two separate courts,
according to the value of the matter in
dispute: matters that are worth little
more than five drachmas need not be re-
ferred εἰς δικαστῶν πλῆθος.

αὐτοτελεῖς] 3 § 5 *ult.*

διαιτηταῖς] Meier and Schöm. pp. 48,
1009—1015; Smith, *Dict. Ant.* s.v. The
text shews that all private causes (except
the ἔμμενοι δίκαι, c. 52) were in the first
instance tried by the διαιτηταί.

ἐμβαλόντες—ἐχίνους] Dem. 45 § 17,
ἐχρὴν αὐτὸ τὸ γραμματεῖον εἰς τὸν ἐχίνον
ἐμβαλεῖν and ib. 57, also 48 § 48, ἀντί-
γραφα (συνθηκῶν) ἐμβάλλεσθαι εἰς τὸν ἐχίνον.
μαρτυρίας, Meier and Schöm. p. 873
ff. Lips.; προκλήσεις, ib. 871 ff.

καὶ τούτους κατασημηνάμενοι, καὶ τὴν [γνώ]σιν τοῦ διαιτητοῦ
 γεγραμμένην ἐν γραμματείῳ προσαρτήσαντες, παραδίδασιν τοῖς
 τέτταρσι τοῖς τὴν φυλὴν τοῦ φεύγοντος δικάζουσιν· οἱ δὲ παρα- 3
 15 λαβόντες εἰσάγουσιν εἰς τὸ δικαστήριον, [τὰ μὲν ἐ]ντὸς χιλίων εἰς
 ἓνα καὶ διακοσίους, τὰ δ' ὑπὲρ χιλίας εἰς ἓνα καὶ τετρακοσίους.
 οὐκ ἔξεσ[τι δ' οὐ]τε νόμοις οὔτε προκλήσεσι οὔτε μαρτυρίαις ἀλλ'
 ἢ ταῖς παρὰ τοῦ διαιτητοῦ χρήσθ[αι ταῖς εἰς] τοὺς ἐχίνους ἐμβε-
 βλημέναις. διαιτηταὶ δ' εἰσὶν οἷς ἂν ἐξηκοστὸν ἔτος ᾗ. τοῦτο δὲ 4

12 [γνώ]σιν τοῦ B; [κρί]σιν τοῦ K, H-L; [κρίσ]ιν <τὴν> τοῦ K-W; in ectypo fere nihil dispici potest; γνῶσιν defendit Dem. 40 § 42 κατὰ γνῶσιν διαιτητοῦ, 21 § 92 διαιτητοῦ γνῶσιν, 33 § 22 γνῶσιν—διαίτης, 36 § 17 τῆς γνώσεως. 13 ΤΟΙΟΙΔ? τοῖς δ K³, B: τοῖς ἐπὶ? K¹; πάλιν K-W, -ν εὐθὺς H-L. 14 Τ(HC)ΦΓΛ(HC) K¹: τὴν φυλὴν Wyse, K-W, H-L, K³, B, coll. c. 48 § 5, c. 58 § 2.

§ 3 Pollux viii 48 infra laudatus.

§ 4 ἐξηκοστὸν ἔτος. Cf. Bekk. An. 235, 3, infra laudatum, § 5 τῆς ἡλικίας κτλ.

κατασημηνάμενοι, cf. 39 § 17, σεσημασμένων τῶν ἐχίνων, 47 § 16, ἐσημάνθησαν οἱ ἐχίνου (and *ib.* προκλήσεις ἐμβεβλημένης σοὶ καὶ μαρτυρίας), and 54 § 27, τῷ μὴ σημανθῆναι τοὺς ἐχίνους.

In Meier and Schöm. p. 904 Lips. it is assumed that the ἐχίνος was used for the reception of documents handed in at the ἀνάκρισις. Thus Dem. 28 § 1, ἐνεβάλετο τηρήσας τὴν τελευταίαν ἡμέραν, is there referred to the 'last day of the ἀνάκρισις.' Mr Wyse suggests that there is no reason why it should not refer to the arbitration. It may be doubted whether in the Attic orators there is a single certain example of ἐχίνος *except in connexion with arbitration*. To the passages above quoted may be added 39 §§ 22, 37; 34 § 46; 40 §§ 21, 28, 58; 45 §§ 8, 20, 31, 57, 58, 61; 49 §§ 19, 55, 65; 54 § 30. There is nothing in the lexicographers which refers to the ἀνάκρισις before the presiding magistrate: Harp. s. v. ἐχίνος (=Phot. i, Suid. i); Schol. Arist. *Vesp.* 1436 where οἱ διαιτηταὶ are named, (=Phot. 3, ἐχίνου—ἐπεδίδουν, and Suid. s. v. ἐχίνοι); Photius, ἐχίνος 2 (=Lex Seg. 258, 3, with trifling variants; cf. *Etym. Mag.* p. 404, 54); Harp. s. v. διαιτηταὶ; Pollux viii 127; Schol. Patm. Dem. 48 § 48.—It is clear from col. 31 l. 11 that Hesychius in ἐμπόκτης does not refer to the ἀνάκρισις as supposed in Meier and Schöm. l.c. (Wyse).

προσαρτήσαντες] used in several passages of *Hist. An.*

τοῖς τὴν φυλὴν τοῦ φεύγοντος δικάζουσιν] 48 § 5; 58 § 2. Probably those of the Forty who belonged to the same

tribe as the defendant.

§ 3. ἐντὸς χιλίων κτλ.] The number of the δικασταὶ varies with the value of the matter in dispute: for property under 1000 dr. the court consists of 201 δικασταί; for property above that amount, of 401. Pollux, viii 48, says of cases of φάσις: εἰσήγето δὲ τὰ μὲν ἐντὸς χιλίων εἰς ἓνα καὶ διακοσίους, τὰ δὲ ὑπὲρ χιλίας εἰς ἓνα καὶ τετρακοσίους. This statement ultimately comes from the text which shews that the distinction was not confined to cases of φάσις. This conclusion had already been drawn by Heffter, *Att. Gerichtsverf.* p. 55, and Fränkel, *Att. Geschworenengerichte*, p. 102. From Dem. c. *Mid.* 223 it has been inferred that the round number of 200 was the smallest number for a δικαστήριον: ἂν τε διακοσίους ἂν τε χιλίους ἂν θ' ὁπόσους ἂν ἡ πόλις καθίσῃ (Meier and Schöm. p. 170 Lips.).

οὐκ ἔξεστι κτλ.] In Dem. 45 § 57 Apollodorus charges Stephanus with having stolen an important deposition which the speaker expected to find in the ἐχίνος. Cf. Meier and Schöm. p. 904 Lips.

§ 4. ἐξηκοστὸν ἔτος] i.e. on attaining the age of 59. As explained below, there was a cycle of 42 ἐπώνυμοι τῶν ἡλικιών. All who attained the age of 18 in any given year had an ἐπώνυμος assigned to them. After completing 41 years, during which they were liable to be called out on military duty, they reached the age of 59 and then served as διαιτηταὶ for one year,—their 'sixtieth year.' The ἐπώνυμος assigned to the ἐφήβοι in each year was the ἐπώνυμος of the διαιτηταὶ who had held office in the previous year.

δῆλον [ἐ]κ τῶν ἀρχόντων καὶ τῶν ἐπωνύμων. εἰσὶ γὰρ ἐπωνύμοι 20
δέκα μὲν οἱ τῶν φυλῶν, δύο δὲ καὶ τετταράκοντα οἱ τῶν ἡλικιῶν,
οἱ δ' ἔφηβοι ἐγγραφόμενοι πρότερον μὲν εἰς λελευκωμένα γραμμα-
τεῖα ἐνεγράφοντο, καὶ ἐπεγράφοντο αὐτοῖς ὃ τ' ἀρχων ἐφ' οὗ
ἐνεγράφησαν καὶ ὁ ἐπώνυμος ὁ τῷ προτέρῳ [ἔτει] δεδαιτηκῶς, νῦν
δ' εἰς στήλην χαλκὴν ἀναγράφονται, καὶ ἴσταται ἡ στήλη πρὸ τοῦ 25
5 βουλευ[στ]ηρίου παρὰ τοὺς ἐπωνύμους. τὸν δὲ τελευταῖον τῶν

22 <οἱ> ἐγγραφόμενοι quondam Blass (H-L); οἱ etiam Harp. omisit. ΕΝΓΡΑΦ.
24 ὁ ἐπώνυμος: ἐπώνυμος Harp. ΠΡΟΤΕΡΩΙ (item Harp.): πρότερον K-W,
Poland, B. ΔΕΔΙΔΙΤΗΚΩΣ (edd.): δεδεικτικῶς (Harp. codices plerique), δεδιτη-
κῶς Aldum secutus Dind., δεδιφικῶς Rose; ἐπιδεδημικῶς Photius et Suidas. 26 'π'
(sc. περὶ) fortasse per errorem pro π' (sc. παρὰ) κ. περὶ dubitanter retinet κ; παρὰ
K-W, H-L, B.

20—25. *Harp. στρατεία ἐν τοῖς ἐπωνύμοις:... τίς ἦν ἡ ἐν τοῖς ἐπωνύμοις στρατεία
δεδήλωκεν 'Αρ. ἐν 'Αθ. πολ. λέγων "εἰσὶ γὰρ ἐπωνύμοι—ἐνεγράφησαν (codd., item Phot.
Suid., correx. Bekk.) καὶ ἐπώνυμος ὁ (καὶ ὁ ἐπώνυμος ὁ Aldum secutus Dind.; ὁ
ἐπώνυμος καὶ ὁ Rose) τῷ προτέρῳ ἔτει δεδιτηκῶς (Aldum secutus Dind.; δεδεικτικῶς G,
—ὡς BD, δὲ δεικτικῶς AC; τῷ προτέρῳ ἐπιδεδημικῶς Phot. et Suid.: δεδιφικῶς Rose,
A. P. p. 456) νῦν δὲ εἰς τὴν βουλὴν ἀναγράφονται." Cf. Frag. 429², 469².

ἐπωνύμοι τῶν φυλῶν] 21 § 6.
τῶν ἡλικιῶν] It has been sometimes
supposed that the archon ἐπώνυμος of the
year, in which a citizen reached the age of
military service, was deemed to be the
ἐπώνυμος of that citizen and of all who
came of age in the same year. Thus the
42 ἐπώνυμοι would be the series of 42
archons corresponding to the 42 groups
of citizens who were at any given time
between the ages of 18 and 60 (Schö-
mann, *Ant.* p. 423; Gilbert, i 300). But
in the text the ἀρχοντες are contrasted
with the ἐπώνυμοι, and the latter divided
into ἐπώνυμοι τῶν φυλῶν and τῶν ἡλικιῶν.
As the ἐπ. τῶν φυλῶν derived their names
from ten of the Attic heroes, selected out
of 100 (21 § 6), the ἐπ. τῶν ἡλικιῶν were
presumably selected out of the remaining
90. The period of military service was in-
cluded within a cycle of 42 years, each of
them probably bearing the name of one of
the Attic heroes. When a youth attained
the age of 18, he was enrolled under the
archon of the year and also under the epo-
nymous hero under whom those of the
citizens who had just completed their 42
years had been originally entered. This
is Mr Kenyon's view and it appears to
be substantially correct, except that the
42nd year of service was really devoted
to the duties of the *δαιτηταί* which occu-
pied the sixtieth year of the citizen's life
(ἐξῆκοστὸν ἔτος). It was when he reached
the age of 59 (not 60, as Mr Kenyon

says) that the citizen served as an arbi-
trator.

The lists were unfortunately drawn up
on perishable material, at first on wood
and afterwards on bronze, and no ex-
ample of the στήλη χαλκῇ of the writer's
time has survived. Had marble been
used instead, the result might have been
different, and an interesting question
might have been conclusively decided.
We have indeed several lists of *δαιτηταί*,
all on marble; but these are for another
purpose. Thus for B.C. 325/4 we have
no less than 103 names with the super-
scription: *δαιτηταί οἱ ἐπὶ Ἀντικλ[έους]*
ἀρχοντος] ἀνέθεσαν στεφανωθέντες ὑπὸ τοῦ
δήμου (CIA ii 943); also (for an un-
known year) a list of 88 names (*ib.* 944);
and there are lists of a few such names
for B.C. 330 and 329 (*ib.* 941—2). But
none of these preserve any record of an
ἐπώνυμος τῆς ἡλικίας.

λελευκωμένα] 47 §§ 2, 4.

ὁ ἐπ. ὁ—δεδαιτηκῶς] A brief expres-
sion for the eponymus of the citizens who
served as *δαιτηταί* for the previous year.

δεδαιτηκῶς] In classic Attic this verb
usually has the double augment in the pf.
and plpf., e.g. pf. Dem. 33 § 31 δεδι-
τήκα, 21 § 85 κατεδεδιτήκει (Dind.) or
καταδεδ- (Bekk.); Thuc. vii 77 δεδιτήμαι,
Dem. 21 §§ 85, 96 ἀπο-, 55 § 61 κατα-;
plpf. ἐδεδιτήτο, Thuc. i 132 ἐξ- (Veitch).

βουλευτηρίου κτλ.] Paus. i 5, 1, τοῦ β....
πλησίον Θόλος ἐστὶ καλουμένη... ἀνωτέρω

ἐπωνύμων λαβόντες οἱ [τεττ]αράκοντα διανέμουσιν αὐτοῖς τὰς
 διαίτας, καὶ ἐπικληροῦσιν ἅς ἕκαστος διαιτῇσιν· καὶ ἀναγκαῖον ἅς
 ἂν ἕκαστος λάχῃ διαίτας ἐκδιαιτᾶν. ὁ γὰρ νόμος, ἂν τις μὴ
 30 γένηται διαιτητῆς τῆς ἡλικίας αὐτῷ καθηκούσης, ἄτιμον εἶναι
 κελεύει, πλὴν ἐὰν τύχῃ ἀρχὴν ἄρχ[ω]ν τ[ιν]ὰ ἐν ἐκείνῳ τῷ ἐνιαυτῷ
 ἢ ἀποδημῶν. οὗτοι δ' ἀτελεῖς εἰσὶ μόνοι. ἔστιν δὲ καὶ εἰσαγ- 6
 γέλλειν εἰς τοὺς διαιτητάς, ἐὰν τις ἀδικηθῇ ὑπὸ τοῦ διαιτητοῦ, καὶ
 35 καὶ τούτοις. χρῶνται δὲ τοῖς ἐπωνύμοις καὶ πρὸς τὰς στρατείας, 7
 καὶ ὅταν ἡλικίαν ἐκπέμπωσι, προγράφουσιν ἀπὸ τίνος ἀρχοντος
 καὶ ἐπων[ύμου μ]έχρι τίνων δεῖ στρατεῦσθαι.

29 διαίτας (hiatu admissio) secl. K-W. ἐάν H-L. 31 τινὰ ἐν K-W, K³, B ;
 ἄλλῃ K¹, τις ἐν Burnet (H-L). 33 ΔΙΑΙΤΗΤΑΣ (K-W, K³, B) : δικαστὰς Harp. (K¹,
 et H-L qui alioquin εἰς τοὺς ἄλλους διαιτητὰς expectarent). 36 Δ < : ἀπὸ Harp.
 (K, K-W, H-L). 37 ΤΙΝΩΝ : τινος Harp.

§ 5 ἐπικληροῦσιν—ἄτιμον εἶναι. Pollux viii 126 infra exscriptus.

§ 6 Harp. εἰσαγγελία infra exscriptus.

δὲ ἀνδριάντες ἐστήκασιν ἡρώων, ἀφ' ὧν
 Ἀθηναίοις ὕστερον τὰ ὀνόματα ἔσχον αἱ
 φυλαί.

§ 5. ἐπικληροῦσιν] Pollux viii 126,
 ἐπεκληροῦντο αὐτοῖς αἱ διαίται, καὶ ἄτιμία
 (cf. ἄτιμον) ἀφώριστο τῷ μὴ διαιτῆσαντι
 τὴν ἐπικληρωθεῖσαν διαίταν. In Dem.
Arhob. iii 58 a public (as contrasted
 with a private) arbitrator is described
 as κληρωτός. Cf. Meier and Schöm. p.
 1012 Lips.

ἐκδιαιτᾶν] not found in this sense else-
 where. Cf. ἐκδικάζειν in [Xen.] *Rep.*
Ath. iii 2, δίκας καὶ γραφὰς καὶ εὐθύνας
 ἐκδικάζειν, and Lys. 17 § 5.

τῆς ἡλικίας—καθηκούσης] The age
 has hitherto been inferred from Bekker,
Anecd. 235 (= Schol. Plat. *Leg.* 920 D),
 πάντες Ἀθηναῖοι οἷς ἐξεκοστὸν ἔτος ἦν (§ 4),
 and from the less precise statements in
 Pollux viii 126, ἐκ τῶν ὑπὲρ ἐξήκοντα ἔτη
 γεγονότων, and Hesych. οἱ περὶ ἐξήκοντα
 ἔτη γεγονότες. The age of 50 is wrongly
 given in Bekker *Anecd.* 186 and Suidas,
 s. v. διαιτηταί.

ἄτιμον] the severer form of ἄτιμία is
 probably meant.

ἀτελεῖς] 'exempt' from serving as δια-
 ιτηταί.

§ 6. εἰσαγγέλλειν εἰς τοὺς διαιτητάς]
 Harpocr. s. v. εἰσαγγελία· εἰ γὰρ τις ὑπὸ
 διαιτητοῦ ἀδικηθείη, ἐξῆν τοῖτον εἰσαγγέλ-
 λειν πρὸς (eis K-W) τοὺς δικαστὰς (διαιτητὰς
 is Bergk's correction), καὶ ἀλοῦς ἡτιμοῦτο
 (cf. Bekk. *Anecd.* 235, 24 = Schol. Plat.

Leg. 920 D, and Lex. Dem. Patm. p. 13).

We have an example of this procedure in
 Dem. c. *Mid.* 86, φυλάξας τὴν τελευταίαν
 ἡμέραν τῶν διαιτητῶν—, κατηγορῶν ἔρημον
 οὐδενὸς παρόντος, ἐκβάλλει καὶ ἄτιμοι τὸν
 διαιτητὴν, first explained in this sense by
 Bergk, *Zeitsch. f. Alt.* 1849, 273, supported
 by Fränkel, *Alt. Geschworenenger.* p. 73 f.,
 as quoted in Meier and Schöm. p. 334
 Lips.; see also Darenberg and Saglio,
 iii 126. Cf. Dr Hager on εἰσαγγελία in
 Smith, *Dict. Ant.* i 710 b, where, how-
 ever, it is accidentally stated that, in
 Harpocr. l. c., Bergk 'rather needlessly'
 alters διαιτητὰς into δικαστὰς: Bergk really
 altered δικαστὰς into διαιτητὰς, and the
 text confirms his alteration. The δια-
 ιτηταί for any given year form a 'college,'
 or corporate body; they pass resolutions
 and decree rewards in the phrase ἐδοξεν
 τοῖς διαιτηταῖς (Hubert, *de Arbitris*, p. 25;
 Meier-Schöm. p. 1013 Lips.). It is their
 president who is described as πρυνανεύων
 in Dem. *Mid.* l. c. Hitherto it has been
 deemed uncertain whether the εἰσαγγελία
 of an arbitrator came before the διαιτηταί
 or before a body of δικασταί (Hubert, p.
 55; Gilbert, i 371). The text is decisive
 for the former alternative; but it also
 shews that the sentence was subject to
 appeal. In the latter event it would
 come before a law-court.

§ 7. προγράφουσιν—στρατεῦσθαι]
 Lys. 14 § 6, σκέψασθε δὲ τίνες εἰσὶν οὓς δεῖ
 παρῆναι. οὐχ ὅτινες ἀν τὴν ἡλικίαν ταύτην

54. κληροῦσι δὲ καὶ τάσδε τὰς ἀρχάς· ὁδοποιοὺς πέντε, οἷς προστέτακται δημοσίους ἐργάτας ἔχουσι τὰς ὁδοὺς ἐπισκευάζειν·
2 καὶ λογιστὰς δέκα καὶ συνηγόρους τούτοις δέκα, πρὸς οὓς ἅπαντας ἀνάγκη τοὺς τὰς ἀρχὰς ἀρ[ξαν]τας λόγον ἀπευεγκεῖν. οὗτοι γὰρ εἰσι μόνοι <οἱ> τοῖς ὑπευθύνους λογιζόμενοι, καὶ τὰς 5

LIV 5 <οἱ> ins. J B Mayor, K-W, H-L, K³, hiatus admissio.

TESTIMONIA. LIV § 1 Schol. in Aeschin. 3 § 25 infra exscriptum.

§ 2 Bekk. *An.* 276, 17 λογισταί: ἄρχοντές εἰσι κληρωτοί, δέκα τὸν ἀριθμὸν, ἐφ' ὃν πάντες οἱ ἀρξάντες ἀρχὴν ἡγνιτοῦν λόγον ἀπέφερον τῶν διψκημένων (fere eadem Etym. M. 569, 32). *Ib.* p. 310, 6: οἱ λογισταί τὰς εὐθύνas ἀπάσας εἰσῆγον (cf. Phot. ἡγεμονία δικαστηρίου). Phot. εὐθύνas: κυρίως ἄs εἰσαγοῦσιν οἱ λογισταί πρὸς τοὺς δόξαντας μὴ ὀρθῶς ἀρξάi τῆς πόλεως ἢ πρεσβεῦσαι κακῶς· καὶ τὰ δικαστήρια μὲν οἱ λογισταί κληροῦσι, κατηγοροὶ δὲ ὁ βουλευόμενος· καὶ τοῖς δικασταῖς ἐφέται τιμᾶσθαι τοῖς ἀλοῦσιν (eadem Bekk. *An.* 245, 6 et Lex. Dem. Patm. p. 142). *Lex. rhet. Cantab. λογισταί, infra exscriptum.

ἔχουσιν; Dem. *Ol.* 3 § 4, ἐψηφίσασθε...καὶ τοὺς μέχρι πέντε καὶ τετταράκοντα ἐτῶν αὐτοὺς ἐμβαίνειν. Aeschin. *F. L.* 133, ψηφισαμένων ἡμῶν...τοὺς μέχρι τριάκοντα ἔτη γεγονότας ἐξίεναι, *ib.* 168, πρῶτην δ' ἐξελεῖθαι στρατεῖαν ἐν τοῖς μέρεσι καλουμένων...καὶ τὰς ἄλλas τὰς ἐκ διαδοχῆς ἐξόδους τὰς ἐν τοῖς ἐπαυρίμοις καὶ τοῖς μέρεσιν ἐξῆλθον (Gilbert, i 302, and *Beiträge*, 51 ff.). Cf. Lycurg. *Leocr.* 39, αἱ δ' ἐλπίδες τῆς σωτηρίας τῷ δήμῳ ἐν τοῖς ὑπὲρ πεντήκοντα ἔτη γεγονόσι καθευστήκεσαν. For προγράψουσιν, cf. Arist. *Av.* 450, (τοὺς ὀπλίτας) σκοπεῖν ὅ τι ἂν προγράψωμεν ἐν τοῖς πινακίοις.

LIV § 1. ὁδοποιούς] mentioned in Aeschin. 3 § 25 (with Schol. οἱ ἐπιμελούμενοι τῆς καθαρότητος τῶν ὁδῶν τῆς πόλεως), and by a Comic poet quoted in Plut. *Præc. Reip. Ger.* 15 § 9, Μητιόχος μὲν <γὰρ> στρατηγεί, M. δὲ τὰς ὁδοὺς, M. δ' ἄρτους ἐποπτῶ, M. δὲ τὰλφιστα, Μητιόχῳ δὲ πάντα κείται, Μητιόχος δ' οἰμώζεται (ascribed to Cratinus by Bergk; Meineke, *Frag. Com.* iv p. 675). Boeckh, II x, p. 257 Fränkel.

§ 2. λογιστὰς] 'Auditors'; *Pol.* 1322 b 11, speaking of τὴν ληφυσμένην λογισμὸν καὶ προσευθύνουσιν (ἀρχήν), καλοῦσι δὲ τοὺς οἱ μὲν εὐθύνους οἱ δὲ λογιστὰς οἱ δ' ἐξεταστὰς οἱ δὲ συνηγόρους. It had already been proved by Boeckh (II viii, p. 239³) that the λογισταί and εὐθνῶν were separate bodies; and this is confirmed by the present treatise (cf. 48 § 4). Almost all the ὑπεύθυνοι had to send in their accounts to the λογισταί (Aeschin. c. *Ctes.* § 20, ἐγγράφειν λόγον πρὸς τοὺς λογιστὰς καὶ εὐθύνas διδόναι, § 22, λόγον ἀποφέρειν πρὸς τοὺς λ., Schol. on §§ 9, 15). CIA ii 444, 446, (an ἀγωνοθέτης) ἀπενήνοχεν λό-

γους εἰς τὸ μητρώον καὶ πρὸς τοὺς λογιστὰς καὶ τὰς εὐθύνas ἔδωκεν. In B.C. 454, 452, 435 they were 30 in number (CIA i 226, 228 and 32). The number was subsequently reduced to 10, possibly after the time of the Thirty. Gilbert, i 214.

συνηγόρους] mentioned in *Pol.* 1322 b 11, quoted above. The present passage is loosely paraphrased in *Lex. Rhet. Cant.* p. 672, 20: 'A. ἐν τῇ Ἀθ. πολ. οὕτως λέγει· λογισταί δὲ αἰροῦνται [ἀν κληροῦνται?] δέκα, παρ' οἷς διαλογίζονται πᾶσαι αἱ ἀρχαὶ τὰ τε λήμματα καὶ τὰς γεγεννημένας δαπάνas· καὶ ἄλλοι δέκα συνηγόροι οἵτινες συνανακρίνουσι τοῦτοις· καὶ οἱ τὰς εὐθύνas διδόντες παρὰ τοῦτοις ἀνακρίνονται πρῶτον, εἰτα ἐφίενται εἰς τὸ δικαστήριον, εἰς ἓνα καὶ φ' (Rose, *Frag.* 447³). Mr Kenyon, however, regards this notice as 'differing wholly from the present passage'; and Lipsius implies that the name of Aristotle is mentioned by mistake. Wilamowitz places it among the spurious fragments.

οὗτοι—τοῖς ὑπευθύνους λογιζόμενοι] It was the λογισταί who received the accounts of outgoing officials; who examined them conjointly with the συνηγόροι; and brought the accounts before a law-court of 501 δικασταί under their own presidency (Meier and Schöm. pp. 257 ff. Lips.). These functions have sometimes been erroneously ascribed to the εὐθνῶν (ib. pp. 115, 208 and Lipsius in *Leipzig Verhandl.* p. 64). The procedure may be illustrated by the oath taken by the corresponding officials in the deme Myrrhinus, CIA ii 578, δυνάμει δὲ τὸν ὅρκον καὶ τὸν λογιστὴν λογιεῖσθαι ἅ ἂν μοι δοκῇ ἀνηλωκέναι, καὶ τοὺς συνηγόρους συνηγορήσειν τῷ δήμῳ τὰ δίκαια καὶ ψηφιεῖσθαι ἅ ἂν μοι δοκῇ δικαιοτάτα εἶναι.

εὐθύνας εἰς τὸ δικαστήριον εἰσάγοντες. κὰν μὲν τινα κλέπτουσι ἐξελέγξωσι, κλοπὴν οἱ δικασταὶ καταγιγνώσκουσι καὶ τὸ γνωσθὲν ἀποτίνεται δεκαπλοῦν· ἐὰν δὲ τινα δῶρα λαβόντα ἐπιδείξωσιν, καὶ καταγνώσιν οἱ δικασταί, δῶρων τιμῶσιν, ἀποτίνεται δὲ καὶ τοῦτο
 10 δεκαπλοῦν· ἂν δ' ἀδικεῖν καταγνώσιν, ἀδικίου τιμῶσιν, ἀποτίνεται δὲ τοῦθ' ἀπλοῦν, ἐὰν [πρὸ τῆς] ἐνάτης πρυτανείας ἐκτείση τις, εἰ δὲ μή, διπλοῦται· τὸ <δὲ> δεκαπλοῦν οὐ διπλοῦται.

κληροῦσι δὲ καὶ γραμματέα τὸν κατὰ πρυτανείαν καλούμενον, 3

7 -ΓΙΝΩΙΣΚΟΥΣΙ: -γινω K-W; -γιγνώ H-L, K³; -γιγνώ B, cf. 53, 7. ΓΙΝΩΘΕΝ (K, H-L): <κατα>γνωσθὲν K-W, B. 8 ΕΠΙΔΕΙΞ: ἀποδείξ. K-W. 10 ἐὰν H-L. 11 ΕΚΤΙΧΗΙ: ἐκτείση K-W, H-L, K³, B: cf. Meisterhans, p. 144², n. 1252. 12 <δὲ> ins. K (edd.).

10 ἀδικίου Harp. infra exscriptus.

§§ 3—5 Pollux viii 98: γραμματεὺς ὁ κατὰ πρυτανείαν κληρωθεὶς ὑπὸ τῆς βουλῆς ἐπὶ τῷ τὰ γράμματα φυλάττειν καὶ τὰ ψηφίσματα, καὶ ἕτερος ἐπὶ τοὺς νόμους ὑπὸ τῆς βουλῆς χειροτονούμενος. ὁ δ' ὑπὸ τοῦ δήμου αἰρεθεὶς γραμματεὺς ἀναγνώσκει τῷ τε δήμῳ καὶ τῇ βουλῇ. ἀντιγραφεὺς κτλ. (reliqua p. 195 b exscripta).

§§ 3, 4 *Harp. γραμματεὺς: ... ὁ γραμματεὺς πῶς τε καθίστατο καὶ τί ἐπραττεν, ὡς τῶν γραμμάτων τ' ἐστὶ κύριος καὶ τὰ ψηφίσματα τὰ γενόμενα φυλάττει καὶ τὰ ἄλλα πάντα ἀντιγράφεται καὶ παρακάθηται τῇ βουλῇ, δεδήλωκεν 'Αρ. ἐν 'Αθ. πολ. § 4 *Harp. ἀντιγραφεὺς, p. 195 b exscriptus. § 5 Suidas (e lexico Photiano) γραμματεὺς (1): οὗτος πράξεως μὲν οὐδεμιᾶς ἦν κύριος, ὑπανεγίνωσκε δὲ τῇ βουλῇ καὶ τῷ δήμῳ τὰ πραττόμενα. Bekk. An. 226 γραμματεὺς: καὶ τὸν γραμματέα ὁ δῆμος χειροτονεῖ, "ἀναγνώσκοντα αὐτῷ καὶ τῇ βουλῇ" καὶ οὗτος οὐδενός" τὸ σύνολον ἄλλου "ἐστὶ κύριος" ἢ "τοῦ ἀναγνῶναι"... (Frag. 399², 439²). Bekk. An. 185, 14. Suidas s.v. (2) κληρωτοὶ δὲ ἦσαν τὸν ἀριθμὸν τρεῖς, γράφοντες τὰ δημόσια. οὐδενός δὲ ἦσαν οἱ γραμματεῖς οὗτοι κύριοι, ἀλλ' ἢ τοῦ γράφειν καὶ ἀναγνῶναι.

τὰς εὐθύνας—εἰσάγοντες] Dem. de Cor. 117, ὅτε με εἰσήγον οἱ λογισταί, and F. L. 211.

κλοπὴν] δημοσίων χρημάτων. Dem. c. Timocr. 112, εἰ μὲν τις ἀγορανόμος ἢ ἀστυνόμος ἢ δικαστὴς κατὰ δῆμους γενόμενος κλοπῆς ἐν ταῖς εὐθύनाς ἔαλκεν,—τούτῳ μὲν τὴν δεκαπλασίαν εἶναι, and 127, συνέδρου γενομένου κλοπὴν αὐτοῦ τὸ δικαστήριον κατέγνω καὶ δεκαπλάσιον ἀπέτισε.

καταγιγνώσκουσι] the compound verb, in the special sense, is followed by the simple participle τὸ γνωσθὲν, which, although more general in itself, has its meaning necessarily coloured by the previous context. To repeat the preposition is no more necessary here than in 57, 7, where διατίθησι is followed in the next sentence by τίθησι. Cf. Dem. Timocr. 9, where τῆς βουλῆς κατεγνωκυίας is followed several lines later by τὰ γνωσθὲν ὑπὸ τῆς βουλῆς. I may also refer to my note on Eur. Bacch. 1065, κατῆγεν, ἦγεν, ἦγεν, where Hec. 168, ἀπώλεσας, ὤλεσας, and Med. 1252, κατίδεις, ἴδετε, are quoted.

δῶρα...δεκαπλοῦν] This penalty is also

mentioned in Dinarch. c. Aristog. 17. The penalty of death (unnoticed in the text) is mentioned *ib.* §§ 4, 20. The two penalties are contrasted as alternatives in Dinarch. c. Dem. 60 and c. Philocl. 5 (Meier and Schöm. p. 445, n. 723).

ἐπιδείξωσιν] Pol. 1259 a 16, ἐπιδείξει δτι. Aeschin. 3 § 228, τῆς γὰρ αἰτίας αἰσχροὺς τὸν αἰτιώμενον ἐστὶ τὸ ἔργον μὴ ἔχειν ἐπιδείξαι.

ἀδικίου] here of 'maladministration.' Plut. Per. 32, εἶτε κλοπῆς καὶ δῶρων εἴτ' ἀδικίου βούλοισι τις ὀνομάζειν τὴν διωξιν. The term is not found in the Orators, but is mentioned in Harpocr. s. v. ἐστὶ δὲ ὄνομα δίκης. ἀποτίνονται δὲ τοῦτο ἀπλοῦν, ἐὰν πρὸ τῆς θ' πρυτανείας ἀποδοθῇ· εἰ δὲ μή, διπλοῦν καταβάλλεται. Meier and Schöm., p. 424—8; Lipsius, Leipz. Verhandl. p. 64.

δεκαπλοῦν οὐ διπλοῦται] This fact has been hitherto unknown.

§ 3. γραμματέα] The full title is ὁ κατὰ πρυτανείαν γραμματεὺς τῆς βουλῆς, with the shorter forms γρ. τῆς βουλῆς or γρ. κατὰ πρυτανείαν. The regular form before the year of Euclides was ὁ γρ. τῆς βουλῆς. As an exception we find in B.C.

ὅς τῶν γραμμάτων ἐστὶ κύριος, καὶ τὰ [ψη]φίσματα τὰ γιγνόμενα φυλάττει, καὶ τᾶλλα πάντα ἀντιγράφεται, καὶ παρακθήται τῇ 15

14 ΓΡΑΜΜΑΤΕΩΝ: γραμμάτων ex Harp. et Polluce Burnet, Bywater, Blass, Naber, K-W, H-L, K³. <τ> post γραμμάτων addidit B ex Harp. ΓΙΝ (K-W): γεν. Harp.

409/8, CIA i 61 (as restored by Köhler) παραλαβόντες παρὰ [τ]οῦ [κατὰ πρυτανείαν γραμμα]τέως τῆς βουλῆς. In the fourth century the title ὁ γραμματεὺς ὁ κατὰ πρυτανείαν is first found in an inscr. of B.C. 358/7 or of 354/3 (CIA ii 61, where the other title ὁ γραμματεὺς τῆς βουλῆς is also found, and where mention is made of τοὺς ἄλλους γραμματεῖς τοὺς ἐπὶ τοῖς δημοσίοις γράμμασιν). The two forms are interchanged with one another down to B.C. 322/1, when the short title γρ. τῆς βουλῆς appears for the last time (CIA ii 186), while the title γρ. ὁ κατὰ πρυτανείαν continues in use down to the Roman age (Gilbert in *Philol.* xxxix p. 131—6, and *Gr. St.* i 254; also Müller's *Handbuch*, iv i 167). This γραμματεὺς always belonged to a different tribe to that presiding at the time (CIA i 45, 46, 51, 61, 188; Gilbert, *Philol.* p. 133); but, in or after B.C. 322/1 (the date of the death of Aristotle), the γρ. so called belonged to the presiding tribe.

The 'full title' cited at the head of this note is not actually found except in CIA i 61 (as restored); and there is much to be said in favour of the restoration proposed by C. Schaefer: παραλαβόντες παρὰ [τ]οῦ [βασιλέως μετὰ τοῦ γραμμα]τέως τῆς βουλῆς. The special literature of the Athenian γραμματεῖς includes (in addition to the works already quoted) two dissertations of 1878 by C. Schaefer and C. A. Holle; and Hartel's *Studien*, published in the same year; also an article by von Wilamowitz (in *Hermes*, xiv 148—153), who, like Stoientin, in *Fahrb. f. Philol.* 1880, 180—202, rightly attributed to Aristotle the account which we find in Pollux. The dissertation by Kornitzer (1883) unfortunately receded from this position, which is now proved to be the only tenable one.

γραμμάτων—κύριος] 'is responsible for all public documents'. According to the law quoted in Dem. c. *Timocr.* 63, he delivered to the θεσμοθέται the decrees of the Council. τὰ ψηφίσματα—φυλάττει] 'has the (general) custody of the public archives' (in the Μητρώον). In Dem. *F. L.* p. 381 these are described as under

the (special) charge of a public slave: ἐν τοῖς κοινοῖς τοῖς ὑμετέροις γράμμασιν ἐν τῷ Μητρώῳ ταῦτ' ἐστίν, ἐφ' οἷς ὁ δημόσιος τέτακται. This γραμματεὺς is mentioned by Aeschin. 3 § 15, λόγον καὶ εὐθύνας ἐγγράφουσι πρὸς τὸν γραμματέα καὶ τοὺς λογιστάς, and by Chamaeleon, ap. Athen. 407 C, (Alcibiades) ἦκεν εἰς τὸ Μητρώον, ὅπου τῶν δικῶν ἦσαν αἱ γραφαὶ καὶ βρέξας τὸν δάκτυλον ἐκ τοῦ στόματος διηλείψε τὴν δίκην τοῦ 'Ηγήμονος' ἀγανακτοῦντες δὲ ὅ τε γραμματεῖς καὶ ὁ ἄρχων τὰς ἡσυχίας ἤγον δι' Ἀλκιβιάδην.

τᾶλλα ἀντιγράφεται] 'checks (or supervises) the transcription of all other public documents.' Thus, in the inventory of the χαλκοθήκη in CIA ii 61, ascribed to B.C. 358 or 354, Εὐκλῆς ὁ δημόσιος is to enter all the items and the γρ. κατὰ πρυτανείαν is to check them (ἀντιγράφεσθαι δὲ τὸν γραμματέα τὸν κατὰ πρυτανείαν καὶ τοὺς ἄλλους γραμματεῖς τοὺς ἐπὶ τοῖς δημοσίοις γράμμασιν), and lastly, the γραμματεὺς τῆς βουλῆς is to record the list on a tablet and to make a copy (ἀντίγραφα).

Pollux, viii 98, after describing the γρ. ὁ κατὰ πρυτανείαν and the γρ. ἐπὶ τοὺς νόμους in terms borrowed from the text, continues as follows: ἀντιγραφεὺς πρότερον μὲν αἰρετὸς αἰθῆς δὲ κληρωτὸς ἦν καὶ πάντα ἀντεγράφετο παρακθήμενος τῇ βουλῇ. In Bekker's best MS the following words, δύο δ' ἦσαν, ὁ μὲν τῆς βουλῆς ὁ δὲ τῆς διοικήσεως, come after the next heading λογισταί, and this order is approved by Lipsius; but Harpocration s. v. agrees with the other MSS in making them apply to the ἀντιγραφεῖς:—ὁ καθιστάμενος ἐπὶ τῶν καταβαλλόντων τινα τῇ πόλει χρήματα, ὥστε ἀντιγράφεσθαι ταῦτα (Dem. c. *Androt.* p. 615 and Aeschin. c. *Ctes.* 25). διπτοὶ δὲ ἦσαν ἀντιγραφεῖς, ὁ μὲν τῆς διοικήσεως, ὡς φησι Φιλόχορος, ὁ δὲ τῆς βουλῆς, ὡς Ἀριστοτέλης ἐν 'Αθ. πολ. Cf. Bekker's *Anecd.* p. 185, ὁ δὲ καταγραφόμενος τὰ ἐν τῇ βουλῇ γεινόμενα. The present is the only passage in the treatise to which Harpocration can refer, but it is remarkable that the title ἀντιγραφεὺς does not occur in the text.

βουλῇ. πρότερον μὲν οὖν οὗτος ἦν χειροτονητός, καὶ τοὺς ἐνδοξο-
τάτους καὶ πιστοτάτους ἐχ[εῖρ]οτόνουν· καὶ γὰρ ἐν ταῖς στήλαις
πρὸς ταῖς συμμαχίαις καὶ προξενί[αι]ς καὶ πολιτείαις οὗτος
ἀναγράφεται· νῦν δὲ γέγονε κληρωτός. κληροῦσι δὲ καὶ ἐπὶ τοὺς 4
20 νόμους ἕτερον, ὃς παρακάθεται τῇ βουλῇ, καὶ ἀντιγράφεται καὶ
οὗτος πάντας. χειροτονεῖ δὲ καὶ ὁ δῆμος γραμματέα τὸν 5

17 κ(ΔΙ)ΑΠΙCΤ: corr. K.
e Polluce (edd.).

19—20 ΕΠΙ ΤΟΥΤΟΙC Ν[Ο]ΜΟΝ ΕΤΕΡΟΝ: corr. K

§§ 4, 5. Cf. Testim. p. 194.

πρότερον] The date at which this official ceased to be χειροτονητός and became κληρωτός is unknown. The office became annual between B.C. 367 and 363. The last example of its being held for a πρυτανεία only is in 368/7; the first example of its being held for a year is in 363/2. Possibly appointment by lot was introduced about the same time.

τοὺς ἐνδοξοτάτους κτλ.] For the period between 450 B.C. and 403 B.C., about 28 names are known (Hille in *Leipzig. Stud.* i 240); but only one is at all familiar, Ἀγύρριος Κ[ολλυτεύς], CIA ii 1b (404/3 B.C.). In the fourth century, down to B.C. 322, we have 38 names, not one of them 'famous' (see Wyse in *Class. Rev.* v 276).

στήλαις] cf. note on Dem. *Lept.* § 36.

ταῖς συμμαχίαις] e.g. in B.C. 433/2, the treaties between Athens and Leontini (CIA iv 33 a) and Athens and Rhegium (CIA iv 13), *Χαρίλας ἑγραμμάτευσ*: also in B.C. 378/7, the second maritime Confederacy (CIA ii 17), *Καλλίβιος Κηφισοφώντος ἑγραμμάτευσ*. The latest example now known belongs to B.C. 356/5 (CIA ii 66).

προξενίαις] 'grants of the title of πρόξενος' (cf. note on Dem. *Lept.* 60, and Gilbert, i 173). As exx. we have (in B.C. 431/0) CIA i 45, *Προκλῆς Ἀτάρβου Εὐωνυμεὺς ἑγραμμάτευσ*.—ἀναγραφάτω πρόξενον καὶ εὐεργέτην Ἀθηναίων (Ἀστίαν τὸν Ἀλεόν) ἐστῆλη λιθίνῃ ὁ γραμματεὺς ὁ τῆς βουλῆς καὶ καταθέτω ἐν πόλει. *ib.* ii 29 (Echembrotos of Cleone).—Πιστόξενος ἑγραμμάτευσ, and ii 3 (Amyntor, Eurypylus, &c.)—Δεξιθεός ἐγρ.—ἐπειδὴ καθήρεθῃ ἡ στήλη ἐπὶ τῶν τριάκοντα ἐν ᾗ ἦν αὐτοῖς ἡ προξενία, ἀναγράφαι τὴν στήλην τὸν γρ. τῆς βουλῆς. ii 21 (Eurytion) *Δισχύλος ἐγρ.*, ii 69 (Philiscus, B.C. 355) *ἐνάτης πρυτανείας ἡ Πάνδιος Σωκλέους ἐξ Οἴου ἐγρ.*—ἀναγράφαι τὸδε τὸ ψήφισμα τὸν γρ. τῆς βουλῆς. ii 119 (Apelles of Byzantium, B.C. 339)—ἀναγράφαι αὐτοῦ τὴν προξενίαν τὸν γρ. τὸν κατὰ πρυτανείαν. ii 124 (an officer of Philip in B.C. 337)—ἀναγράφαι δὲ τὴν προξενίαν κτλ. Cf. Monceaux, *Les Proxénies Grecques*, p. 83.

πολιτείαις] 'grants of citizenship. The oldest inscr. on this subject is that in 'Εφ. Ἀρχ. 1883, pp. 37, 38: "Ἰππαρχον &c Ἀθηναίος εἶναι ἀνδραγαθίας ἕνεκα τῆς ἐς Ἀθηναίος καὶ φυλὴν καὶ δῆμον καὶ φρατρίαν ἐλέσθαι ἣν περ ἂν βόλωνται καὶ ἀναγράφαι αὐτὸς ἐστῆλη λιθίνῃ τὸν γραμματέα τῆς βολῆς. CIA ii 243—εἶναι Ὀξύθεμιν (friend of Demetrius Poliorcetes)—Ἀθηναῖον—ἀναγράφαι δὲ τὸδε τὸ ψήφισμα τὸν γραμματέα τὸν κατὰ πρυτανείαν. πολιτεία is used of 'a grant of citizenship' in inscriptions of Ephesus, Ditt. no. 134, ἀναγράφαι δὲ αὐτῷ τὴν πολιτείαν εἰς τὸ ἱερὸν τῆς Ἀρτέμιδος, οὗ καὶ αἱ λοιπαὶ πολιτεῖαι ἀναγεγραμμέναι εἰσίν, and *ib.* 315, ἀναγράφαι ὅπου καὶ αἱ λοιπαὶ πολιτεῖαι ἀναγεγραμμέναι εἰσὶ. See Schömann, *Ant.* p. 355; Gilbert, i 175; *Dict. Ant.* i 443; Hartel, *Studien*, p. 271—3; Reinach, *l'Épigraphie Grecque*, p. 371.

ἀναγράφεται] Thus, in a decree in honour of Thrasylbulos of Calydon, the first two lines are inscribed in large characters, CIA i 59: [ἐπὶ Γλανκί]ππου δ[ι]ρχ[ο]ν[τ]ος. [Λόβων ἐκ] Κηδῶν ἑγραμμάτευσ. Then follows the decree in smaller characters and the name of the γραμματεὺς is repeated in the second line, Λόβων ἑγραμμάτευσ. CIA ii 51 (decree of citizenship &c B.C. 369) l. 3—Ἀθηναίους ἑγραμμάτευσ. CIA ii 54 (do. B.C. 363)—Παλληνεὺς ἐγρ.—τὸ δὲ ψήφισμα τὸδε ἀναγράφαι τὸν γραμματέα τῆς βουλῆς. Mr Wyse (*Class. Rev.* v 276 a) points out that this style is not found in any inscr. between 356/5 and 320/19.

§ 4. **ἐπὶ τοὺς νόμους**] Pollux viii 98, καὶ ἕτερος ἐπὶ τοὺς νόμους ὑπὸ τῆς βουλῆς χειροτονοῦμενος. The term χειροτονοῦμενος applies to the first γραμματεὺς of an earlier time, and not to the second γραμματεὺς.

§ 5. **τὸν ἀναγνώσκοντα**] It is probably the same official that is meant in Dem. *Lept.* 94 (of a new law), τῷ γραμματεῖ παραδόναι, τοῦτον δ' ἐν ταῖς ἐκκλησίαις ἀναγιγνώσκειν. When the letter of Nicias was delivered in Athens (Thuc. vii 10) ὁ γραμ-

ἀναγνωσόμενον αὐτῷ καὶ τῇ βουλῇ, καὶ οὗτος οὐδενός ἐστι κύ[ρι]ος ἀλλὰ τοῦ ἀναγνώναι.

- 6 κληροὶ δὲ καὶ ἱεροποιοὺς δέκα, τοὺς ἐπὶ τὰ ἐκθύματα καλου-
 μένους, [οἱ] τὰ τε [μαν]τευτὰ ἱερὰ θύουσιν, κἄν τι καλλιερῇσαι 25
 7 δέη, καλλιερῶσι μετὰ τῶν μάντε[ων]. κληροὶ δὲ καὶ ἐτέρους
 δέκα, τοὺς κατ' ἐνιαυτὸν καλουμένους, οἱ θυσίας τέ τινες θύουσι,
 [καὶ τ]ὰς πεντατηρίδας ἀπάσας διοικοῦσιν πλὴν Παναθηναίων.

23 ἀλλὰ: ἀλλ' ἢ Blass, Richards, Gennadios (e Suida K-W, H-L); ἀλλὰ defendit K, sed ἀλλ' ἢ fortasse praestat. 28 διοικοῦσι H-L.

§§ 6, 7 *Etym. M. ἱεροποιοί: κληρωτοὶ ἄρχοντες εἰσι δέκα τὸν ἀριθμὸν, οἱ τὰ τε μαντεύματα ἱεροθετοῦσι (ἱεροθύτον cod. v; ἱεροθύτοισι cod. D, Bekk. An. 265, et Photius: οἱ τὰ μεμαντευμένα ἱερὰ θύουσιν Lex. Dem. Patm.), "κἄν τι καλλιερῇσαι δέη καλλιερῶσι μετὰ τῶν μάντεων," καὶ θυσίας τὰς νομιζόμενας ἐπιτελοῦσι "καὶ τὰς πεντατηρίδας ἀπάσας διοικοῦσι πλὴν Παναθηναίων." ταῦτα δὲ 'Ap. ἱστορεῖ ἐν τῇ 'Αθ. πολ. Pollux viii 107 ἱεροποιοί, p. 198 a exscriptus.

ματεὺς [τῆς πόλεως] παρελθὼν ἀνέγνω τοῖς Ἀθηναίοις, where Herwerden, Stahl and Hude bracket τῆς πόλεως. The margin of M (the MS in the British Museum) has: ὑπηρέτην τὸν εἰωθότα ἐν τῷ κοινῷ δήμῳ τὰ γράμματα ἀναγιγνώσκων. We should have expected to find him named in CIA ii 61, 26, ἀκούσασαν δὲ τὴν βουλὴν ἀνταναγιγνώσκομένων τῶν ἀναγεγραμμένων κτλ.]. In CIA ii 114, 10 (B.C. 343/2) we read of a decree in honour of Phanodemus: ἀναγνῶναι τότε τὸ ψήφισμα τὸν γραμματέα τῷ δήμῳ. In [Plut.] ii 841 F, we learn that the orator Lycurgus required the γρ. τῆς πόλεως to see that the authorised text alone of Aeschylus, Sophocles and Euripides was adopted in the public performances of their plays, [Plut.] ii 841 F, τὸν τῆς πόλεως γραμματέα παραναγιγνώσκων τοῖς ὑποκρινομένοις.

ἀλλὰ=ἀλλ' ἢ in *Eth. N.* x 5, 1176 a 22, vii 13, 1152 b 30, *Rhet.* ii 23, 1402 a 27 (Index Ar.).

§ 6. ἱεροποιοὺς 'Commissioners of sacrifices.' *Pol.* 1322 b 18, ἄλλο δ' εἶδος ἐπιμελείας ἢ περὶ τοὺς θεοὺς. οἷον ἱερεῖς τε καὶ ἐπιμεληταὶ τῶν περὶ τὰ ἱερὰ τοῦ σφῆξεσθαι τε τὰ ὑπάρχοντα καὶ ἀνορθοῦσθαι τὰ πίπτοντα τῶν οἰκοδομμάτων καὶ τῶν ἄλλων ὅσα τέτακται πρὸς τοὺς θεοὺς—(b 24) οἷον ἱεροποιοὺς κτλ. The text is quoted in *Etym. Magn.*, without any distinction between the two boards. The article adds a reference to Dem. p. 47, 13, οἱ λογοποιοὶ τὰς πομπὰς ὑμῶν πομπέουσι μετὰ τῶν ἱεροποίων. The ἱεροποιοί are mentioned under the Four Hundred in 30 § 2. Cf. [Dem.] 58 § 29, τὴν μὲν ἀρχὴν ἣν ἐκείνους ἄρχων ἐτελεύτησεν, ἱεροποιοὺς ὦν, παρὰ τοὺς νόμους ἦρχεν οὗτος, οὗτε λαχὼν οὐτ' ἐπιλαχὼν. CIA

ii 741 (B.C. 334/3), ἐκ τοῦ δερματικοῦ—ἐκ τῆς θυσίας τῇ Ἀγαθῇ Τύχῃ παρὰ ἱεροποίων—ἐξ Ἀσκληπείων παρὰ ἱεροποίων—ἐγ Βεν- διδῶν, παρὰ ἱεροποίων. (B.C. 333/2), [ἐκ Πανα]θηναίων παρὰ [ἱεροποίων] v. B.C. 332/1 ἐκ Παναθηναίων παρὰ ἱεροποίων, ἐξ Ἑλευ- σινίων παρὰ ἱεροποίων. Certain kinds of ἱεροποιοί, however, were elected and not appointed by lot. Thus, Dem. c. *Mid.* §§ 115, 171 states that he had the honour of being 'elected' from among all the Athenians as one of the three ἱεροποιοί τῶν σεμνῶν θεῶν. In an inscr. published in *'Αθήναιον*, 6 p. 483, we find 10 ἱεροποιοί οἱ αἰρεθέντες ὑπὸ τῆς βουλῆς (out of the 10 tribes). Gilbert i p. 249; Müller's *Handbuch*, v 3, 34.

ἐκθύματα. The word is hitherto only known in the sense of 'pustule' (Hipp. *Epid.* 3, 1086 L and S). ἐκθύω, however, means in act. to sacrifice, in Soph. *El.* 572, and Eur. *Cycl.* 371; and, in middle, to expiate. In the text ἐκθύματα (if genuine) means 'expiations.' The corresponding phrase in an inscr. of B.C. 329/8, in 'Εφ. Ἀρχ. 1883, 110—126, B 82, is εἰς τὰ ἐπιθύματα.

μαντευτὰ 'appointed by oracle.' Xen. *Anab.* vi 1, 22, ἐθύετο τῷ Δί, ὅσπερ αὐτῷ μαντεῦτος ἦν. Sacrifices are enjoined in the μαντεῖαι quoted by Dem. c. *Mid.* 52—54.

καλλιερῇσαι [Xen.] *Vect.* vi 3, τοῦτο (τοῖς θεοῖς) καλλιερῇσαντας ἄρχεσθαι τοῦ ἔργου.

§ 7. τοὺς κατ' ἐνιαυτὸν] possibly corresponding to the ἐπιμελητάς of 30 § 2.

πεντατηρίδας] These festivals are also enumerated in Pollux viii 107 (as cor-

ε[ἰσὶ δὲ] πεντετηρίδες μία [μὲν ἢ εἰ]ς Δῆλον (ἔστι δὲ καὶ ἐπ[τε]-
30 τηρὶς ἐνταῦθα), δευτέρα δὲ Βραυρώνια, τρίτη [δὲ Ἡράκλει]α,

29 ε[ἰσὶ δὲ] K, K-W, ε (sc. πέντε) [δ' εἰσὶ] H-L (B).

πεντετηρίδες <δ'> K-W.

rected by Rose), ἱεροποιοί· δέκα ὄντες οἱ τοῖς ἔθνεσιν ὑσίστας τὰς <νομιζομένας καὶ (τάς added by Kenyon) > πεντετηρίδας <διοικοῦσι>, τὴν εἰς Δῆλον, τὴν ἐν Βραυρώνι, τὴν τῶν Ἡρακλείων ('Ἡρακλειδῶν codd.; corr. Jungermann), τὴν Ἐλευσίνι.

πλὴν Παναθηναίων] At this festival the procession was marshalled by the *δήμαρχοι*: Suidas, s. v. οἱ τοῖς δὲ διεκόσμου τὴν ἐορτὴν τῶν Παναθηναίων, and Schol. Arist. *Nub.* 37, οἱ τοῖς δὲ τὴν πομπὴν τῶν Παναθηναίων ἐκόσμου. In CIA ii 741 *ἱεροποιοί* are twice mentioned in connexion with a Panathenaic festival: a 34, [ἐκ Πανα]θηναίων παρὰ [ἱεροποιῶ]ν, and c 8, [ἐκ Πανα]θηναίων παρὰ ἱερο[ποιῶ]ν. The former refers to B.C. 333/2, the latter to 332/1, and, as neither of these is the 3rd year of an Olympiad, the lesser Panathenaea must be meant, and not the 'penteteric' festival mentioned in the text. The difficulty is more serious in CIA i 188, 74 (Ditt. no. 44): ἀθλοθέται παρεδῶθη ἐς Παναθήναια τὰ μεγάλα (such and such a sum), ἱεροποιοῖς κατ' ἐνιαυτὸν, Διῶλλω Ἐρχεῖ καὶ συνάρχουσιν ἐς τὴν ἑκατόμβην (5114 dr.). Boeckh, II p. 8 Fränkel, supposes that, in the Panathenaea, it was the ἀθλοθέται who undertook the duties connected with the games, which were undertaken by the ἱεροποιοί in the other festivals, while the ἱεροποιοί were only concerned with making arrangements for the hecatomb.

εἰς Δῆλον] The ancient πανήγυρις at Delos was revived by the Athenians in the spring of B.C. 425, Thuc. iii 104, 2, τὴν πεντετηρίδα τότε πρῶτον μετὰ τὴν κάθαρσιν ἐποίησαν οἱ Ἀθηναῖοι, τὰ Δῆλια. Besides the πεντετηρίς mentioned in the text there was an annual *θεωρία* (Plat. *Phaedo* 58 B, *Crito* 43 C). Hermann, *Gottesdienst. Alt.* § 65, 31—34.

It was formerly supposed that the Delian festival was held on the 6th and 7th of Thargelion = May-June (Boeckh, II p. 72 Fränkel). The Delian inscriptions point to its having been really held in the month known at Delos as Ἰερὸς, corresponding to the Attic Anthesterion = Feb.-March (Robert in *Hermes* xxi 161, approved by A. Mommsen in Burian's *Jahresb.* 1886, 3 p. 335—8). It included musical (Plut. *Nic.* 3; Lucian *de Salt.* 16) and gymnastic competitions,

as well as horse-races (Thuc. iii 104; Dittenberger, 121, 16).

M. Homolle (*Bull. Corresp. Hellén.*, 1891, pp. 149—155) remarks that 'the inventories from Delos for 279 B.C. mention 30 of the cups that the Athenians gave every year, and 23 of the wreaths that they gave every four years... He also remarks that the inventories for 334 B.C., which come next in date, mention 11 of these cups and 20 of these wreaths, so that the last cup would have been given in 315 B.C., and the last wreath in 322. He argues that, as the Athenians certainly left Delos before 310 B.C., the cessation of their gifts after 315 B.C. is attributable to their departure and marks the exact date. But then one would like to know why there was not a twenty-fourth wreath for 318 B.C. The new treatise suggests the reason. It states that the Athenians held a festival at Delos every four years; but adds parenthetically and *every six years also*, and then alludes obscurely to the archonship of Cephisophon in 329 B.C. Suppose that [after the festival in 330] the interval was increased in 329 from four years to six: the twenty-second and twenty-third wreaths would then belong to 324 B.C. and 318 B.C. and would probably complete the series; for there is no other record of festivals at Delos every six years, and such festivals would presumably have been recorded, had they existed for any length of time' (Mr Torr in *Class. Rev.* v 277).

Βραυρώνια] The festival originally held at Brauron in honour of Artemis is mentioned in Hdt. vi 138 (cf. Arist. *Lysistr.* 646 and Schol.). It was afterwards held in the Brauronion on the Acropolis (Paus. i 23, 9; Wilamowitz, *Aus Kydathen*, 128 n. 47 f.). We have lists of dresses dedicated to Artemis by Athenian ladies (CIA ii 751 ff., p. 113), one of whom actually bears the name of Πεντετηρίς (*ib.* 756, 15, B.C. 345).

There was also a festival held at Brauron in honour of Dionysus, Arist. *Pax* 874 with Schol. ἐκεῖ δὲ καὶ τὰ Διονύσια ἤγετο, καὶ καθ' ἑκάστον ἡμῶν. Hence the Dionysia are described by Suidas i 454 as having been held every four years at Brauron. But the country Dionysia were celebrated annually through-

τετάρτη δὲ Ἐλευ[σίνι]α, [πέμπτη] δὲ Παναθήναια καὶ τούτων οὐδεμία ἐν τῷ αὐτῷ ἐγγί[γνεται]. *[ἄθλα] δὲ πρόκειται [*κατὰ τὰ 32 ψη]φίσ[ματα τὰ*] ἐπὶ Κηφισοφώντος ἄρχοντος.

31 Ἐλευ[σίνι]α, [ἐ] δὲ Wyse (K³, qui ē pro πέμπτη scribi potuisse ostendit, coll. c. 47 § 4 ubi [θ] pro ἐνάτης recte datum; 'dispiciuntur vestigia litterae e, et super eam ductus transversus qui numerum indicat' (B). Ἐλευσίνια. τὰ δὲ K-W. 32 ΟΥΔΕΜΙΑ

ΕΝ ?

legit K; ΟΥΔΕΤΡΙΑ H-L; equidem puto primitus fuisse οὐδέτερα. ΕΝΤΩΙΑΥΤΩΙΓΙ-ΝΕΤΑΙ: ἐν τῷ αὐτῷ ἐγγί[γνεται] K¹; ἐν τῷ αὐτῷ ἔτει γίνεταί J B Mayor; ἐν τῷ αὐτῷ ἐνιαυτῷ γίγνεται Blass (H-L). [τ]ὰ δὲ Παναθήναια [[καὶ] τούτων οὐδεμῶ ἐν τῷ αὐτῷ ἐν[ιαυτῷ] γίνε[ται] K-W; καὶ τούτων οὐδεμία ἐν τῷ αὐτῷ ἐν[ιαυτῷ] γίγνε[ται] B. 32 δὲ πρόκειται αἰς . . . ἐπὶ Κηφισοφώντος ἄρχοντος K, qui ante αἰς aut φ,

out Attica; and it is more probable that the festival under the control of the *ιεροποιοί* was the distinctive Brauronian festival of *Artemis*. Hemsterhuys, Corsini and others refer the Brauronian *πεντετηρίς* (cf. Pollux viii 107) to the Dionysia. K. O. Müller points out that the existence of a *ἱερεία τῆς Ἀρτέμιδος τῆς Βραυρωνίας* (Dinarch. *Arist.* 12) does not prevent the festival being under the management of the *ιεροποιοί*, and Rinck, *die Religion der Hellenen*, ii 105, refers it to the festival of *Artemis*. Hermann *l. c.* § 62, 14—20.

Ἡράκλεια] Dem. *F. L.* § 125, παῖδας καὶ γυναῖκας ἐκ τῶν ἀγῶν κατακομίζειν ἐψηφίσθησεν... καὶ τὰ Ἡράκλεια ἐν ἀστεί θύειν. Harpocr. *s. v.* πολλῶν ὄντων τῶν κατὰ τὴν Ἀττικὴν Ἡρακλείων νῦν ἂν ὁ Δημοσθένης μνημονεύοι ἥτοι τῶν ἐν Κυνοσάργει, ταῦτα γὰρ μάλιστα διὰ τιμῆς εἶχον Ἀθηναῖοι. The festival referred to by Dem. was probably held about midsummer, apparently in the month Hecatombeon, at the same time as the Panathenaea: Steph. Byz. *s. v.* Ἐχελίδαί—τοῦ τετρακώμου Ἡρακλείου, ἐν ᾧ τοὺς γυμνικοὺς ἀγῶνας ἐτίθεσαν τοῖς Παναθηναίοις (Böhnecke, *Forschungen*, p. 655). On the Ἡράκλεια at Marathon, cf. Paus. i 15, 4; Pind. *Ol.* ix 95, Schol. Pind. *Ol.* xiii 110. See also Hermann *l. c.* § 62, 21—24.

Ἐλευσίνια] A festival held (as the context shews) once in four years and therefore distinct from the *Eleusinia* in the ordinary sense of the term. A. Mommsen, *Heortologie*, 1864, p. 243, doubted its existence. Cf., however, inscr. from Eleusis in Ἐφ. Ἀρχ. 1883, p. 110—126 β 50, σύμπαν κε[φάλαιον ἱερῆσι καὶ] ἱερέαις εἰς τὴν τριετηρίδα τῶν Ἐλευσινίων καὶ εἰς τὴν πεντετηρίδα, cf. *ib.* 1887, p. 3, v. 25, τῆς πανηγύρεως τῶν Ἐλευ[σινίων] τῶν μεγάλων. It has been conjectured that the *τριετηρίς* and *πεντετηρίς* fell in the

second and fourth year respectively of the Olympiad. If the inscr. in CIA ii 741 (Ditt. 374) is correctly restored, the *ιεροποιοί*, presumably οἱ κατ' ἐνιαυτὸν, were concerned with the annual celebration of the Ἐλευσίνια, cf. c 66 [ἐξ Ἐλε]υσινίων παρὰ ἱεροποιῶν—], B.C. 432/1, the first year of an Olympiad, and d 74 [ἐξ Ἐλευσινίων παρὰ] ἱεροποιῶν—], B.C. 331/0, the second year of an Ol. For the fourth year of an Ol., 333/2, the inscr. d 39, as restored in the *Corpus*, has [ἐκ τῆς θυσίας] τῇ Δήμητρὶ καὶ τῇ Κόρῃ τῇ Δαείρῃ παρὰ ἐπιμελητῶν. (Wyse, in *Class. Rev.* v 335 b.)

The inscr. in Ἐφ. Αρχ. 1883, mentioning the *πεντετηρίς* τῶν Ἐλευσινίων, refers to B.C. 329/8, the very year in which Cephisophon was archon. Payments are there made to the *ιεροποιοί* οἱ κατ' ἐνιαυτὸν, β 8 and 38 (κατὰ ψήφισμα δῆμον [τ]ὸ [εἰς θυσίας]), and to the *ιεροποιοί* ἐγ βουλῆς β 67, 72, 76, 82 (εἰς τὰ ἐπιθύσια), γ 4 (Wyse, *ib.*).

Παναθήναια] the great Panathenaea; c. 60.

ἐν τῷ αὐτῷ] probably means 'in the same place,' which is true, the festivals being associated with Delos, Brauron, Marathon, Eleusis and Athens respectively. 'At the same time' is in itself a less likely interpretation. It is not at all probable that the festivals would actually clash in respect of date; but there would be no point in drawing attention to this. The Delian festival and the great Panathenaea were alike in the third year of an Olympiad (Thuc. iii 104). The *Delia* of 334 fell in the third year; those of 279 in the second year of an Ol. The *Delia* were probably held in the month of Anthesterion; the Panathenaea (and probably the *Heracleia*) in Hecatombeon; the *Eleusinia* possibly in the fourth year of an Olympiad, and probably in the same month as the annual *Eleusinia*, *i.e.*

κληροῦσι δὲ καὶ εἰς Σαλαμίνα ἄρχοντα, καὶ εἰς Πει[ραι]έα 8
35 δὴμ[αρχ]ον, οἳ τὰ τε Διονύσια ποιοῦσι ἐκατέρωθι καὶ χορηγοῦσι

aut fortasse ρ, scriptum fuisse arbitrat, conicit [τοῦτο] δὲ πρόκειται [γραφ]αῖς [ταῖς] ἐπὶ κτλ. δὲ πρόκειται [ἐν γρα]φαῖς (ΦΔΙ Β) [ταῖς] ἐπὶ κτλ. K-W. [νόμος] δὲ πρόκειται [περὶ τούτων τεθείς] ἐπὶ κτλ. H-L, invita papyro. eadem tentavi [ἄθλα] δὲ πρόκειται [πάσ]αυς [καθάπερ] ἐπὶ κτλ.; vel [ἐν ταῖς γρα]φαῖς [ταῖς] ἐπὶ κτλ., coll. Plut. ii 1134 A, ἡ τῶν Παναθηναίων γραφή περὶ μουσικοῦ ἀγώνος; vel [κ(ατὰ) τὰς σ(υ)γγρα]φὰς [τάς] ἐπὶ κτλ. (coll. Dittenb. *Sylloge*, p. 24); vel potius [ἄθλα] δὲ πρόκειται [κ(ατὰ) τὰ ψη]φίσματα τὰ ἐπὶ κτλ.; sed Cephisophon Olympiadis in anno quarto archon erat, nec video cur in anno proximo post Panathenaea, potius quam ante ludos illos, nova praemia decreta fuerint; eo meliore igitur iure ἐμπτη δὲ Παναθήναια delenda putat B. 34 ΠΕΙ...ΕΔ, Πειραιᾶ K, K-W, B: Πειραιᾶ H-L. 35 ποιοῦσι etiam H-L.

in Boedromion. The month (and even the year) of the Brauronia is unknown. (A. Mommsen, *Heortol.* 409, assigns it to the 16th of Munichion.)

The insertion of ἐνιαυτῷ is only possible if we disconnect the Panathenaea from the four penteteric festivals. The text, as edited by K-W, implies that not one of these four is in the same year as the Panathenaea; which is only possible if the Delian festival had already been transferred to the second year of the Ol., and the Heracleia to the first year, leaving the Brauronia (and possibly the Eleusinia) in the fourth year.

1. 32. ἄθλα δὲ πρόκειται] The suggestion ἄθλα is confirmed (in point of sense) by the context, and (in point of expression) by *Pol.* 1330 a 33, τοῖς δούλοις ἄθλον προκεῖσθαι τὴν ἐλευθερίαν, *Hdt.* ix 101, ἄθλα πρόκειται, viii 93, ἄθλον ἔκειτο, *ib.* 26, τὸ ἄθλον σφι κείμενον, *Plat. Rep.* 638 c, προκείμενα ἄθλα, *Xen. Cyr.* ii 3, 2, ἄθλα πρόκειται, i 6, 18 ἄθλα προτιθεῖς. Cf. inscr. found at Sestos, in Dittenberger, 246, 78 (before 120 B.C.), τιθεῖς ἄθλα πάντων τῶν ἀθλημάτων τοῖς τε νέοις καὶ τοῖς ἐφήβοις. It is a welcome confirmation of this suggestion to find that ἄθλα has been independently proposed by Mr Newman, *Class. Rev.* v 117 b.

The inscr. already quoted from 'Εφ. Ἀρχ. 1883, pp. 110—126, describes the payments made to the ἱεροποιοὶ οἱ κατ' ἐνιαυτόν, β 8 and 38 κατὰ ψήφισμα δήμου [7]δ [εἰς θ]υσ[ίαν], and γ 7 καὶ τοῦτο (more than 1000 dr.) ἱεροποιοῖς κατεβάλομεν κατὰ ψήφισμα δήμου δ Λυκούργος εἶπεν. The date of the inscr. is the archonship of Cephisophon, B.C. 329/8. It is clear that in that year, on the proposal of Lycurgus, there was a special decree of the people affecting the πεντετηρίς of the Ἑλευσίνια. The same decree added a horse-race to the contests, and we are told that the prize in that contest was 70 medimni, β 38, 48, εἰς τὴν ἵπποδρομίαν τὴν προστε-

θεῖσαν κατὰ ψήφισμα ἄθλα μέδιμνοι ΡΔΔ. The suggestion in the text assumes that, under the active administration of Lycurgus (cf. Dürrbach, *Lycurgue*, pp. 99—102), prizes for the other festivals as well were the subject of decrees in the same year, but there is no evidence on this point. It may also be admitted that the 4th year of an Olympiad is not a very likely year for a decree to be passed affecting the Panathenaea and Delian festivals, which would not be held till three years later, in the 3rd year of an Olympiad.

ἐπὶ Κηφισοφώντος] B.C. 329/8, the latest date mentioned in this treatise.

§ 8. εἰς Σαλαμίνα ἄρχοντα] CIA ii 594 (127 B.C.?), v. 1, ἐ[πὶ] Ἐπικλέους ἀρχοντος ἐν ἄστει, ἐν Σαλαμῖνι δὲ Ἀνδρονίκο[υ], v. 31, Διονυσίων τῶν ἐν Σαλαμῖνι τραγωδοῖς. *ib.* ii 469 (somewhat before 69 B.C.), v. 75 and 80, ἐπὶ Πυθέου ἀρχοντος ἐν Σαλαμῖνι, ἐν ἄστει δὲ Ἰππάρχου, v. 82, Διονυσίων τῶν ἐν Σαλαμῖνι τραγῶδων ἐν ἀγῶνι (cf. n. 470, v. 58). Before the discovery of this treatise there was nothing to shew how the archon in Salamis was appointed. Cf. de Schoeffer, *De Deli Insulae Rebus*, p. 201: 'Archon Salaminis insulae fuerint ab Atheniensibus constitutus an a cleruchis electus, prorsus ignoramus; nomen archontis minime obstat quominus illud verisimilius videatur,' Dittenberger, *Syll. Inscr. Graec.* n. 383, n. 2, on an 'archon' in a decree of Scyros posterior to 196 B.C. (Wyse in *Class. Rev.* v 335.)

Salamis was not reckoned as a regular Attic deme, but as a community dependent on Athens. Hence (like Athens) it had an archon at its head (Hermann, *Staatsalt.* § 117, 4).

εἰς Πειραιᾶ δῆμαρχον] In CIA ii 573 b we have a decree, of the second half of the fourth century, placing the θεσμοφόριον in the Peiraeus under the protection of the δῆμαρχος. In ii 573 the δῆμαρχος is mentioned in connexion with a theatre in the Peiraeus. In an inscr.

καθιστᾶσιν· ἐν Σαλα[μῖνι] δὲ καὶ τὸ [ὄν]ομα τοῦ ἄρχοντος 36
ἀναγράφεται.

✓ 55. αἰται μὲν οὖν αἱ ἀρχαὶ κληρωταί τε καὶ κύριαι τῶν
[εἶρη]μένων [πραγμάτων] εἰσίν. οἱ δὲ καλούμενοι ἐννέα ἄρ-
χοντες, τὸ μὲν ἐξ ἀρχῆς ὃν τρόπον καθίσταντο [εἶρη]ται· [νῦν]
δὲ κληροῦσιν θεσμοθέτας μὲν ἐξ καὶ γραμματέα τούτοις, ἔτι δ'
ἄρχοντα καὶ βασι[λέα] καὶ πολέμαρχον, κατὰ μέρος ἐξ ἐκάστης 5
2 <τῆς> φυλῆς. δοκιμάζονται δ' οὗτοι πρῶτον μὲν ἐν τῇ [βουλῇ] τοῖς
πεντακοσίοις, πλὴν τοῦ γραμματέως, οὗτος δ' ἐν δικαστηρίῳ

LV 1 'an κληροῦνται καὶ κύριαι?' K-W. 3 [εἶρη]ται [ἤδη· νῦν] K, K-W, H-L:
[εἶρη]ται· [νῦν] B, cum versus proximi in spatio eodem non plus quam tres exsistent
litterae. 4 κληροῦσι H-L. 5 ἐκάστης <τῆς> B. 7, 10 <τῷ> δικασ-
τηρίῳ hic et in c. 45, 7 K-W; idem in c. 46, 13 et c. 55, 10 articulum omissum
non inserunt.

TESTIMONIA. LV §§ 1, 2, 4 Heraclidis epitoma; Rose Frag. 611, 8: εἰσι δὲ καὶ
ἐννέα ἄρχοντες. θεσμοθέται s' (Coraes; θεσμοθέται καὶ vel θεσμοθετικοὶ καὶ codd.) οἱ
δοκιμασθέντες ὁμνύουσι δικαίως ἄρξειν καὶ δῶρα μὴ λήψεσθαι ἢ ἀνδράντα χρυσοῦν
ἀναθήσειν.

§§ 2, 3 Pollux viii 85, 86, p. 202 b exscriptus. *Lex. rhet. Cantab. θεσμοθετῶν
ἀνάκρισις: κατὰ Ἀριστοτέλην οἱ θεσμοθέται ἐκ τῶν θ' ἀρχόντων, αὐτοὶ ἐξ ὄντες. οἱ δὲ
λαχόντες ὑπὸ τῆς βουλῆς τῶν πεντακοσίων καὶ τοῦ δικαστηρίου "δοκιμάζονται" "πλὴν
τοῦ γραμματέως" ἐρωτῶμενοι τίνες αὐτῶν πατέρες, ὁμοίως καὶ δῆμων τίνων εἰσί, καὶ "εἰ
ἔστιν" αὐτοῖς "Ἀπόλλων πατρός καὶ Ζεὺς ἔρκειος," καὶ εἰ τοὺς "γονέας" εὖ ποιοῦσι,
καὶ εἰ "τὰ τέλη" τελοῦσι, καὶ εἰ τὰς ὑπὲρ τῆς πατρίδος στρατείας ἐστρατεύσαντο (Frag.
375², 414³).

ascribed to the beginning of the 3rd cent.,
ib. 589, one Callimedon has a place of
precedence assigned him ἐν τῷ θεάτρῳ
ὅταν ποιῶσι Πειραιεῖς τὰ Διονύσια—καὶ
εἰσαγέτω αὐτὸν δὲ δῆμαρχος εἰς τὸ θέα-
τρον. Lastly, in ii 1059, a lease granted
by the Πειραιεῖς is superscribed ἐπὶ
Ἀρχίππου ἀρχοντος (B.C. 321/0), Φρυνί-
ωνος δῆμαρχου[ντος]. Cf. Wachsmuth,
Stadt Athen, ii 5. While, in the other
demes, the δῆμαρχος was elected by the
members of the deme, in the important
deme of the Peiraeus he was appointed
by lot. Otherwise he would have be-
come too powerful a personage.

Διονύσια] τὰ κατ' ἀγρούς, celebrated
in the month Poseideon, and on the
grandest scale in the Peiraeus. CIA ii
589 (quoted above), ib. 741 (Ditt. 374),
6, 72, 79, ἐν Διονυσίων τῶν ἐν Πειραιεῖ.
Cf. Müller's *Handbuch*, v 3, 162, and
Wyse in *Class. Rev.* v 276 b.

LV—LVI § 1. On the nine Archons.
Hermann, *Staatsalt.* § 138; Schömann,
Ant. p. 410—414; Gilbert, i 239—243;
Dict. Ant. s. v.

LV § 1. ἐξ ἀρχῆς] c. 3 §§ 2—4;
8 § 1; 22 § 5; 26 § 2.

κληροῦσιν κτλ.] The process is de-
scribed in c. 8 § 1, ταῖς φυλαῖς τὸ δέκα

κληροῦν ἐκάστην, εἴτ' ἐκ τούτων κυμαίνεω.

θεσμοθέτας—ἐξ ἐκάστης τῆς φυλῆς] It
has hitherto been uncertain whether, in the
annual appointment of archons, the hold-
ers of the office were taken from different
tribes. Those who (like Schömann, p.
410) accepted this view, supposed that
one of the ten tribes was unrepresented.
We now learn that the tenth tribe sup-
plied the γραμματεὺς to the θεσμοθέται.

γραμματέα] The existence of a γρ. to
the *thesmothetae* has hitherto been un-
known. Pollux, viii 92, after stating that
the three first archons select two πάρε-
δροι each, adds: προσαιροῦνται δὲ καὶ
γραμματέα, δς ἐννὸς δικαστηρίου κρίνεται,
but says nothing of any such secretary
to the other six archons.

§ 2. δοκιμάζονται] Harpocr. s. v. δοκι-
μασθεῖς.—Λυκοῦργος δ' ἐν τῷ περὶ διοικη-
σεως "γ' δοκιμασθῆναι κατὰ τὸν νόμον," φησί,
"γίνονται, μὴ μὲν ἦν οἱ θ' ἀρχοντες δοκι-
μάζονται κτλ." Bekk. *Anecd.* 235, 11.
Dem. *Lept.* 90 describes the six *thesmo-*
thetae as undergoing a double δοκιμασία,
ἐν τε τῇ βουλῇ καὶ παρ' ὑμῖν ἐν τῷ δικασ-
τηρίῳ (cf. Lys. 15 § 2). Dem. 57 §§ 66,
70 refers to the δοκιμασία of all the nine
archons. Gilbert, i 208; Schömann, p.
406.

μόνον, ὥσπερ οἱ ἄλλοι ἄρχον[τες] (π[άντες γὰρ καὶ] οἱ κληρωτοὶ
καὶ οἱ χειροτονητοὶ δοκιμασθέντες ἄρχουσιν), οἱ δ' ἐννέα [ἄρχ]οντες
10 [ἐν] τε τῇ βουλῇ καὶ πάλιν ἐν δικαστηρίῳ. καὶ πρότερον μὲν οὐκ
ἦρχεν ὄντ[ιν] ἀποδοκιμάσειεν ἢ βουλή, νῦν δ' ἔφεσις ἐστὶν εἰς τὸ
δικαστήριον, καὶ τοῦτο κύριον ἐστὶ τῆς δοκι[μα]σίας. ἐ[πε]ρωτῶ- 3
σιν δ', ὅταν δοκιμάζωσιν, πρῶτον μὲν 'τίς || σοι πατήρ καὶ πόθεν [Col. 28.]
τῶν δῆμων, καὶ τίς πατὴρ πατήρ, καὶ τίς μήτηρ, καὶ τίς μητρός
15 πατήρ καὶ πόθεν τῶν δῆμων;' μετὰ δὲ ταῦτα, εἰ ἐστὶν αὐτῷ
'Απόλλων πατρῷος καὶ Ζεὺς ἑρκείος, καὶ ποῦ [τ]αῦτα τὰ ἱερά
ἐστὶν, εἴτα ἥρία εἰ ἐστὶν καὶ ποῦ ταῦτα, ἔπειτα γονέας εἰ εὖ ποιεῖ,
[καὶ] τὰ τέλη τελεῖ, καὶ τὰς στρατείας εἰ ἐστράτευται. ταῦτα δ'

9 ἐννέ' K-W, B. 12 ἐπερωτῶσι H-L.
K-W e Lex. Cantabr. coll. Dinarch. ii 18.

16 ἐρκείος edd.

18 <εἰ> τελεῖ

πάντες—δοκιμασθέντες ἄρχουσιν] Aeschin. c. Ctes. §§ 14, 15; Lysias 26 §§ 6, 12. Pollux viii 44, δοκιμασία δὲ τοῖς ἄρχουσιν ἐπηγγέλλετο καὶ τοῖς κληρωτοῖς καὶ τοῖς αἰρετοῖς, εἴτ' ἐπιτήδείοι εἰσιν ἄρχειν εἴτε καὶ μή. The text states that, whereas the nine archons were examined by the Council and by the law-court, all the other officers (whether appointed by lot or by show of hands) were examined by the law-court alone. This is in exact agreement with the view put forward by C. Schaefer in *Fahrh. f. class. Phil.* 1878, 821 (the other views are stated in Gilbert, i 208, n. 3).

The passages bearing on the δοκιμασία of the ἀρχαὶ χειροτονηταὶ are Dem. 40 § 34, χειροτονησάντων ὑμῶν ἐμὲ ταξίαρχον ἦκεν αὐτὸς ἐπὶ τὸ δικαστήριον δοκιμασθησόμενος, and Aesch. Ctes. 15, χειροτονητὰς ἀρχάς... ἄρχειν δοκιμασθέντας ἐν τῷ δικαστηρίῳ. In the latter passage it is added that the κληρωταὶ ἀρχαὶ are οὐκ ἀδοκίμαστοι, but nothing is stated about the law-courts. Cf. c. 45 § 3.

§ 3. πρῶτον μὲν κτλ.] Dinarchus, *Aristog.* 17, ἀνακρίνοντες τοὺς ὑπὲρ τῶν κοινῶν τι μέλλοντας διοικεῖν, τίς ἐστὶ τὸν ἴδιον τρόπον, εἰ γονέας εὖ ποιεῖ, εἰ τὰς στρατείας ὑπὲρ τῆς πόλεως ἐστράτευται, εἰ ἱερά (ἥρία Baizer and Sauppe, coll. § 18 πατὴρ μνημα) πατρῷα ἐστὶν, εἰ τὰ τέλη τελεῖ. Xen. *Mem.* ii 2, 13, ἐὰν δὲ τις γονέας μὴ θεραπείῃ, τοῦτ' οὖν δίκην τε ἐπιτίθῃσι καὶ ἀποδοκιμάζουσα οὐκ ἐὰν ἄρχειν τοῦτον... καὶ ἐάν τις τῶν γονέων τελευτησάντων τοὺς τάφους μὴ κοσμήῃ, καὶ τοῦτο ἐξετάζει ἡ πόλις ἐν ταῖς τῶν ἀρχόντων δοκιμασίαις. Lys. 16 § 9 (of the δοκιμασία of a βουλευτῆς), ἐν ταῖς δοκιμασίαις δίκαιον εἶναι παντὸς τοῦ βίου λόγον διδόναι. Pollux, viii 85, 86,

gives a summary of the text, ἐκαλεῖτο δὲ τις θεσμοθετῶν ἀνάκρισις (Dem. *Enbul.* 66), εἰ 'Αθηναῖοι εἰσιν ἐκατέρωθεν ἐκ τριγωνίας καὶ τὸν δῆμον (corrected in margin of Cobet's copy into τῶν δῆμων, which is proved to be right by the text) πόθεν, καὶ εἰ 'Απόλλων ἐστὶν αὐτοῖς πατρῷος καὶ Ζεὺς ἑρκείος, καὶ εἰ τοὺς γονέας εὖ ποιοῦσι, καὶ εἰ ἐστράτευνται ὑπὲρ τῆς πατρίδος καὶ εἰ τὸ τίμημα ἐστὶν αὐτοῖς. In the quotation in *Lex. Rhét. Cant.* the clause last quoted is in closer accordance with the text, εἰ τὰ τέλη τελοῦσι: though the form in Pollux has been supposed to be the older form (Gilbert i 210, n. 1).

πατὴρ πατήρ...μήτηρ πατήρ] Pollux viii 85, 'Αθηναῖοι—ἐκ τριγωνίας, not necessarily part of an earlier formula.

'Απόλλων πατρῷος—Ζεὺς ἑρκείος] The gods of the Athenian's home. Dem. 57 § 54, παιδίων ὄντα μ' εὐθὺς ἦγον εἰς τοὺς φράτερας, εἰς 'Απόλλωνος πατρῷος ἦγον, and § 67 quoted below. Cf. Harp. s. v. τὸν δὲ 'Απόλλωνα κοινῶς πατρῶν τιμῶσιν 'Αθηναῖοι ἀπὸ 'Ιωνος· τοῦτον γὰρ οἰκίσαντος τὴν 'Αττικὴν, ὡς 'Αριστοτέλης φησί, τοὺς 'Αθ. 'Ιωνας κληθῆναι καὶ 'Απόλλωνα πατρῶν αὐτοῖς ὀνομασθῆναι, and s. v. ἑρκείος Ζεὺς· Δεῖναρχος ἐν τῷ κατὰ Μοσχίωνος "εἰ φράτορες αὐτῶ καὶ βωμοὶ Διὸς ἑρκείου καὶ 'Απόλλωνος πατρῶν εἰσιν." ἑρκ. Ζεὺς, ὃ βωμὸς ἐντὸς ἑρκους ἐν τῇ αὐλῇ ἱδρύται.—ὅτι δὲ τοῦτοις μετῆρ καὶ βωμοὶ Διὸς ἑρκείου Ζεὺς ἑρκείος, δεδήλωκε καὶ 'Υπερείδης κτλ.

ἥρία] Dem. 57 § 66, ὥσπερ γὰρ τοὺς θεσμοθέτας ἀνακρίνετε, ἐγὼ τὸν αὐτὸν τρόπον ἐμαυτὸν ὑμῖν ἀνακρινῶ. (67)—οἰκεῖοι τινα εἶναι μαρτυροῦσιν αὐτῷ; πάννυγε· πρῶτον μὲν γε τέτταρες ἀνεψιοί, —εἴτ' 'Απόλλωνος πατρῷος καὶ Διὸς ἑρκείου γεννῆται, εἴθ' οἷς ἥρία ταῦτα (cf. Dinarchus, quoted above).

ἀνερωτήσας, 'κ[ά]λει,' φησίν, 'τούτων τοὺς μάρτυρας.' ἐπειδὴν δὲ
 παράσχηται τοὺς μάρτυρας ἐπερωτᾷ, 'τούτου βούλεται τις 20
 4 κατηγορεῖν;' κἂν μὲν ἦ τις κατήγορος, δοὺς κατηγορίαν καὶ ἀπολο-
 γίαν, οὕτω δίδωσιν ἐν μὲν τῇ βουλῇ τὴν ἐπιχειροτομίαν, ἐν δὲ τῷ
 δικαστηρίῳ τὴν ψῆφον· ἐὰν δὲ μηδεὶς βούληται κατηγορεῖν, εὐθύς
 δίδωσι τὴν ψῆφον· καὶ πρότερον μὲν εἰς ἐνέβαλλε τὴν [ψ]ῆφον,
 νῦν δ' ἀνάγκη πάντας ἐστὶ διαψηφίζεσθαι περὶ αὐτῶν, ἵνα, ἂν τις 25
 πονηρὸς ὢν ἀπαλλάξῃ τοὺς κατηγοροὺς, ἐπὶ τοῖς δικασταῖς
 5 γένηται τοῦτον ἀποδοκιμάσαι. δοκιμασθέν<τες> δὲ τοῦτον τὸν
 τρόπον, βαδίζουσιν πρὸς τὸν λίθον ἐφ' ο[ὗ] τὰ τόμ' ἐστίν, ἐφ' οὗ
 καὶ οἱ διαιτηταὶ ὁμόσαντες ἀποφαίνονται τὰς διαίτας, καὶ οἱ
 μάρτυρες ἐξόμνυνται τὰς μαρτυρίας. ἀναβάντες δ' ἐπὶ τοῦτον 30
 ὁμνύουσιν δικαίως ἄρξειν καὶ κατὰ τοὺς νόμους, καὶ δῶρα μὴ
 λήψεσθαι τῆς ἀρχῆς ἕνεκα, κἂν τι λάβωσι, ἀνδριάντα ἀναθήσειν
 χρυσοῦν. ἐντεῦθεν δ' ὁμόσαντες εἰς ἀκρόπολιν βαδίζουσιν καὶ
 πάλιν ἐκεῖ ταῦτά ὁμνύουσι, καὶ μετὰ ταῦτ' εἰς τὴν ἀρχὴν
 εἰσέρχονται.

56. λαμβάνουσι δὲ καὶ παρέδρους ὃ τε ἄρχων καὶ ὁ βασι-

20 ΒΟΥΛΕΥΤΑΙ: corr. K. 25 ὡ' ἐὰν H-L. 27 ΔΟΚΙΜΑΣΘΕΝ (K): δοκι-
 μασθέν<tes> Rutherford, Richards, Blass, K-W, H-L. 28 ὅφ' ᾧ τὰ ταμειᾶ
 (ΤΑΜΙ?) ἐστίν K¹; ἐφ' οὗ τὰ τόμ' ἐστίν van Leeuwen (H-L, K³); ἐφ' ᾧ κτλ. B; ὅφ' ('εφ
 an γφ incertum; utrumque libri Pollucis') φ τὰ τόμ' ἐστίν K-W. mihi quidem littera
 γ cum φ connexa potius quam ε scripta videbatur (sed ε posse legi censent K et
 K-W); sequitur ο potius quam litterae ω initium. 31 ὁμνύουσι H-L. 32 Λά-
 βωσιν H-L. 33 βαδίζουσι H-L.

LVI 1 καὶ ὁ βασιλεὺς om. Harp.

§ 5, 28 *Harp. λίθος (cf. Testim. ad c. 7, 5).

TESTIMONIA. LVI § 1 Pollux viii 92: παρέδρου δ' ὀνομάζονται οὓς αἰροῦνται
 ἄρχων καὶ βασιλεὺς καὶ πολέμαρχος, δύο ἕκαστος οὓς βούλεται. δοκιμασθῆναι δ' αὐτοὺς
 ἐχρῆν ἐν τοῖς πεντακοσίοις, εἰτ' ἐν δικαστηρίῳ. προσαίρουνται δὲ καὶ γραμματεῖα, ὅς
 ἐννόμῳ δικαστηρίῳ κρίνεται. *Harp. παρέδρος: 'Αρ. δ' ἐν τῇ 'Αθ. πολ. φησί "λαμ-
 βάνουσι δὲ καὶ παρέδρους ὃ τε ἄρχων <καὶ ὁ βασιλεὺς Rose, coll. Meier Att. Proc.
 p. 57; Bull. de Corr. Hell. vii 158> καὶ ὁ πολέμαρχος, δύο ἑκάτερος (ἕκαστος Rose)
 οὓς ἂν βούληται, καὶ οὗτοι—παρεδρεύσωσιν" (cf. Suid. s. v.). Frag. 389², 428³.

§ 4. ψῆφον] Meier and Schöm. p. 635 ff. Lips.

ἀπαλλάξῃ] Dem. c. Timocr. § 37, ἂν
 ἀπαλλάξῃ τισὶν ἐπιστάντα, and ἀπαλλάξας
 καὶ διαφθείρας, also And. de Myst. 122,
 supra c. 27 ad fin.

§ 5. πρὸς τὸν λίθον] Dem. 54 § 26,
 πρὸς τὸν λίθον (Harpocr.; βωμὸν MSS)
 ἀγοντες καὶ ἐξορκίζοντες. Plut. Sol. 25,
 ὡμνεν ὅρκον ἕκαστος τῶν θεσμοθετῶν ἐν
 ἀγορᾷ πρὸς τῷ λίθῳ.

ἐφ' οὗ τὰ τόμ' ἐστίν] Dem. 23 c.
 Aristocr. 68 (the prosecutor in a case of
 homicide before the Areopagus) ὁμνῶσιν...

στάς ἐπὶ τῶν τομίῳν κάπρου καὶ κριοῦ καὶ
 ταύρου. Arist. Lys. 186, καὶ μοι δότω τὰ
 τόμια τις. The archon's oath was taken
 (Pollux viii 86) πρὸς τῇ βασιλείῳ στοᾷ, ἐπὶ
 τοῦ λίθου ὅφ' ᾧ τὰ ταμειᾶ (ita codex
 Schotti; ἐφ' ᾧ τε ceteri: ἐφ' οὗ τὰ τόμια
 υἱός corr. Bergk, Ep. crit. ad Schiller.,
 p. 131).

ἀνδριάντα ἀναθήσειν] 7 § 1. Gilbert,
 i 211, n. 3.

LVI § 1. παρέδρους] In [Dem.] 59
 § 72, and in CIA ii 597, the παρέδρος
 to the archon βασιλεὺς is mentioned.
 Gilbert, i 218, n. 4.

λεὺς καὶ ὁ πολέμαρχος δύο ἕκαστος, οὓς ἂν βούληται, καὶ οὗτοι δοκιμάζονται ἐν τῷ δικαστηρίῳ πρὶν παρεδρεῦναι, καὶ εὐθύνας διδῶσιν ἐπὶ παρεδρεύσωσιν.

- 5 καὶ ὁ μὲν ἄρχων εὐθύς εἰσελθὼν πρῶτον μὲν κηρύττει, ὅσα 2
τις εἶχεν πρὶν αὐτὸν εἰσελθεῖν εἰς τὴν ἀρχήν, ταῦτ' ἔχειν καὶ
κρατεῖν μέχρι ἀρχῆς τέλους. ἔπειτα χορηγοὺς τραγωδοῖς καθίς- 3
τησι τρεῖς, ἐξ ἀπάντων Ἀθηναίων τοὺς πλουσιωτάτους· πρότερον
δὲ καὶ κωμωδοῖς καθίστη πέντε, νῦν δὲ τούτους αἱ φυλαὶ φέρουσιν.
10 ἔπειτα παραλαβὼν τοὺς χορηγοὺς τοὺς ἐννεγεμένους ὑπὸ τῶν
φυλῶν εἰς Διονύσια ἀνδράσιν καὶ παισὶν καὶ κωμωδο[ῖ]ς, καὶ εἰς
Θαργήλια ἀνδράσιν καὶ παισὶν (εἰσὶ δ' οἱ μὲν εἰς Διονύσια κατὰ

2 ἕκαστος: ἑκάτερος Harp. (κ¹). ἂν: ΕΔΝ. 4 ΕΠΑΝ: ἐπέδαν H-L.

9 ΤΟΥΤΟΙΣ Κ ΕΤ Η-Λ, 'i.e. τοῖς κωμωδοῖς χορηγοὺς φέρουσιν': τούτους Wyse coll. Dem.
39 § 7 (K-W, B). 11—12 ἀνδράσι—παισι—ἀνδράσι H-L.

§ 3 Lex. rhet. Cantab. ἐπώνυμος ἄρχων ... ἔχει δὲ ἐπιμέλειαν χορηγοῦς καταστήσαι
"εἰς Διονύσια" καὶ "Θαργήλια," ἐπιμελεῖται δὲ καὶ τῶν "εἰς Δῆλον" καὶ τῶν ἀλλαχόσε
πεμπομένων Ἀθήνηθεν χορῶν...

ἕκαστος] ἑκάτερος is found in the citation in Harpocr., where, however, καὶ ὁ βασιλεὺς is omitted. It was conjectured by Meier (*Att. Proc.* p. 71 Lips.) that it was owing to this omission that ἕκαστος had been corrupted into ἑκάτερος. We now see that this was actually the case (Lipsius, *Leipzig. Verhandl.* p. 53, n. 3, was accidentally led to state the contrary by the reading in Mr Kenyon's first edition, ἑκάτερος).

§§ 2—7. *The Archon.*

§ 3. χορηγοῖς] Dem. *Lept. Introd.* p. iv—vii; Haigh's *Attic Theatre*, p. 71—75; Albert Müller's *Bühnenaltertümer*, p. 193.

τραγωδοῖς] Lys. 24 § 9, κατασταθεὶς χορηγὸς τραγωδοῖς, 19 § 29, τραγωδοῖς δις χορηγήσαι. Cf. Kühner, § 426, 2.

τρεῖς] In tragedy the number of competitors was limited to three. In the extant notices we never find more than three tragic poets competing, e.g. B.C. 467, (1) Aeschylus, *S. C. T.* &c, (2) Aristias, (3) Polyphradmon. B.C. 431, (1) Euripides, (2) Sophocles, (3) Euripides, *Medea*, &c. B.C. 428, (1) Euripides, *Hippolytus*, &c, (2) Iophon, (3) Ion. Cf. Haigh, *Attic Theatre*, p. 19.

κωμωδοῖς—πέντε] In comedy the number of competitors during the fifth century was three, as in tragedy: thus Aristophanes, in producing at the City Dionysia the *Clouds*, the *Peace* and *Birds*, during the latter part of the fifth century, had in each case two competitors. The same

was the rule at the Lenaea. With the beginning of the fourth century the number was raised to five at both festivals (cf. Arg. Arist. *Plut.* and CIA ii 972, Haigh, *l.c.* p. 30—31).

τούτους—φέρουσιν] Dem. p. 996, 22, οὐκοῦν... οἰσὺσί με, ἂν χορηγὸν ἢ γυμνασί-
αρχον ἢ ἐστιάτορα ἢ ἑάν τι τῶν ἄλλων φέ-
ρῳσιν; It is only in the case of comedy that the φυλαὶ nominate; and even here it is a recent innovation. The χορηγοὶ concerned with the production of tragedies were not nominated by the tribes; cf. Lipsius, *Leipzig. Verhandl.* 1885, p. 411.

Διονύσια] ἐν ᾧ δαίτει. Elaphebolion 9-13.
ἀνδράσιν καὶ παισὶν] At the City Dionysia, besides the dramatic contests, there were choral competitions, between choruses of men and boys respectively. There were five choruses of men and five of boys, each chorus being provided by one of the ten tribes, each tribe being represented by one of its members as χορηγός. Haigh, *l.c.* pp. 14, 15.

Θαργήλια] On the second day of the festival, about May 25, there was a competition among the cyclic choruses of men and boys. Lys. 21 § 1, Θαργηλίοις νικήσας ἀνδρικῶ χορῶ, Ant. *de Chor.* §§ 11—13, of a χορὸς παίδων, CIA ii 553, εἰ τις ἄλλος νενίκηκεν ἀπ' Εὐκλείδου ἄρχοντος παισὶν ἢ ἀνδράσιν Διονύσια ἢ Θαργήλια κτλ. Dem. *Mid.* § 10 (lex), Θαργηλίων τῇ πομπῇ καὶ τῷ ἁγῶνι. Cf. A. Mommsen, *Heortol.*, 414—424.

φυλάς, εἰς Θαργήλια [δὲ] δυοῖν φυλαῖν εἰς· παρέχει δ' ἐν μ[έρει] ἐκατέρα τῶν φυλῶν), τούτοις τὰς ἀντιδόσεις ποιεῖ καὶ τὰς σκῆψεις εἰς[άγει, ἑά]ν τις ἢ λελητουργη[κέ]ν[αι] φῇ π[ρό]τερον ταύτην 15 τὴν λητουργ[ίαν, ἢ ἀ]τελὴς εἶναι λελη[τουργηκῶς] ἑτέραν λητουργίαν καὶ τῶν χρόνων αὐτῷ [τῆς ἀτελ]είας μὴ ἐξελη[λυ]θό[των, ἢ τὰ τετταράκοντα] ἔτη μὴ γεγρονέναι· δεῖ γὰρ τὸν τοῖς παι[σιν] χορηγ[οῦντα] ὑπὲρ τετταρά[κον]τα ἔτη γεγρονέναι. καθίστησι δὲ καὶ εἰς Δῆλον χορηγούς, καὶ ἀρχ[ιθ]έω[ρον] τ[ῷ] τριακοντορίῳ τῷ τοῦς 20

13 δὲ, quod in lacuna absorptum censet K, in codicis imagine videre sibi visi sunt H-L, B: idem a librario omisum putant K-W. ΔΥΕΙΝ K¹, B: δυοῖν K-W, K³, B (coll. Meisterhans, p. 162², ubi in titulis δυεῖν cum plurali tantum coniungi dicitur). 14 τούτοις), τὰς ἀντιδόσεις ποιεῖ K¹; τούτοις τὰς κτλ. K-W (K², B); τούτων), τὰς κτλ. Richards (H-L).

15 λε.....η π[ρὸς] ἕτερον K¹; λελητουργηκέναι φῇ πρότερον scripsi (K³, B); λελογτηργ pr.? (Blass); λελητουργη[κέναι] λέ[γ]η

π[ρό]τερον K-W. 16 ΛΕΙΤΟΥΡΓΙΑΝ (vel ΛΟΥΤΗΡΓΙΑΝ pr.). ἡ ἀ[τελ]ής εἶναι· λελητουργηκέναι γὰρ K-W; ἢ ἀ[τελ]ής εἶναι λελη[τουργηκῶς] K³ (B). 17 τῶν χρόνων αὐτῷ [τῆς ἀτελ]είας μὴ ἐξελη[λυ]θό[των, ἢ τὰ μ] ἔτη K³; eadem (omisso μ quod olim protuli) B; ἐξεληλυθότων non accipiunt K-W. Locum totum 15—19 ita constitui H-L: εἰάν τις ἢ λέγει πένες εἶναι ἢ πρὸς ἕτερον ταύτην τὴν λητουργίαν μᾶλλον ἀνήκειν ἢ λητουργεῖν ἢ δὴ ἕτεραν λητουργίαν ἢ τῶν χρόνων αὐτῷ ἕνεκα...είας μὴ ἐξεῖναι, διὰ τὸ τὰ νόμιμα ἔτη μὴ γεγρονέναι. Melius K-W: εἰάν τις ἢ λελητουργηκέναι λέγει πρότερον ταύτην τὴν λητουργίαν, ἢ ἀτελὴς εἶναι· λελητουργηκέναι γὰρ ἕτεραν λητουργίαν καὶ τὸν χρόνον αὐτῷ τῆς ἀτελείας μὴ ἐξελεῖν, ἢ τὰ νόμιμα (incertum) ἔτη μὴ γεγρονέναι.

18 παισὶ H-L. 20 ἀρχιθέωρος Torr coll. CIG 158 a 33 (H-L, K³); ἀρχιθέωρον Lipsius, Fränkel, K-W, B. Cf. Boeckh, ii 84³, n. 391.

19 *Harp. ὅτι νόμος ἐστὶν ὑπὲρ τεσσαράκοντα τῇ γενόμενον χορηγεῖν παισὶν Διοσχίνης τε ἐν τῷ κατὰ Τιμάρχου φησὶ καὶ Ἀρ. ἐν τῇ Ἀθ. πολ. (Frag. 431², 471³).

δυοῖν φυλαῖν εἰς] Ant. de Chor. 11, χορηγὸς κατεστάθη εἰς Θαργήλια καὶ ἔλαχον Κεκροπίδα φυλὴν πρὸς τῇ ἑμαντοῦ. Schol. Dem. Lept. 27, ἐν τοῖς Θαργηλοῖς δυοῖν φυλαῖν εἰς μόνος καθίστατο χορηγός.

ἀντιδόσεις] Lys. 24 § 10, εἰ—κατασταθεὶς χορηγός—προκαλεσαίμην αὐτὸν εἰς ἀντίδοσιν. Dem. Lept. §§ 40, 130, and Or. 42 adu. Phaenippum. [Xen.] de Rep. Ath. iii 4, χορηγοῖς διαδικάσαι εἰς Διονύσια καὶ Θαργήλια. Cf. Boeckh, iv xvi, Meier and Schöm. p. 738 Lips.; Dict. Ant. s. v.

τὰς σκῆψεις εἰσάγει] CIA ii 809 (of the στρατηγοί, who dealt with ἀντιδόσεις in the case of the trierarchy and property-tax, just as the archon did in that of the χορηγία), ὅπως δ' αὖν καὶ αἱ σκῆψεις εἰσαχθῶσι. Meier and Schömann, p. 743 n.

λελητουργηκῶς ἕτεραν λητουργίαν] Dem. 50 § 9, τούτων ἐγὼ οὐδέμιαν πρόσφασιν ποιούμενος ὅτι τριηραρχῶ, καὶ οὐκ ἂν δυναίμην δύο λητουργίας λητουργεῖν, οὐδὲ οἱ νόμοι εἴσωσι.

καὶ τῶν χρόνων—μὴ ἐξεληλυθότων] 'or owing to the period of his exemption

having not yet expired.' The obligation to perform a λητουργία recurred only every other year, Dem. Lept. 7.

ὑπὲρ τετταράκοντα ἔτη] Aeschin. c. Timarch. § 11, κελεύει τὸν χορηγὸν τὴν οὐσίαν τὴν ἑαυτοῦ ἀναλίσκειν ὑπὲρ τετταράκοντα ἔτη γεγονότα τοῦτο πράττειν, ἢ ἥδη ἐν τῇ σωφρονεστάτῃ αὐτοῦ ἡλικίᾳ ὦν, οὕτως ἐντυγχάνη τοῖς ὑμετέροις παισιν.

εἰς Δῆλον χορηγούς] lex. Cantab. 670; Ἀθην. vii p. 480, no. 3 (Gilbert i 240); Thuc. iii 104, §§ 3, 6; Xen. Mem. iii 3, 12, χορὸς... ὁ εἰς Δῆλον πεμπόμενος, Lucian de Saltat. 16, ἐν Δῆλῳ δὲ γε οὐδὲν αἱ θυσίαι ἀνεὺς ὀρχήσεως, ἀλλὰ σὺν ταύτῃ καὶ μετὰ μουσικῆς ἐγίγνοντο· παίδων χοροὶ συνελθόντες ὑπ' αὐλῶ καὶ κιθάρᾳ, οἱ μὲν ἐχόρευον, ὑπωρχοῦντο δὲ οἱ ἀριστοὶ προκρίθέντες ἐξ αὐτῶν. On the Delian πεντετηρίς, cf. 54 § 7.

ἀρχιθέωρον] Plut. Nic. 3 § 5. τῷ τριακοντορίῳ κτλ.] Xen. Mem. iv 8, 2, ἔως αὖν ἢ θεωρία ἐκ Δῆλου ἐπανέλθῃ, Plat. Phaed. p. 58 A; Plut. Thes. 23, τὸ πλοῖον, ἐν ᾧ μετὰ τῶν ἡιθέων ἐπλευσε καὶ πάλιν

21 ἡθέους ἄγοντι. πομπῶν δ' ἐπιμελεῖ[ται τῆς τε] τῷ Ἀσκληπιῷ 4
 γιγνομένης, ὅταν οἰκουρῶσι μύ[σ]ται, καὶ τῆς Διονυσίων τῶν
 [μεγά]λων μετὰ τῶν ἐπιμελητῶν, οὓς πρότερον μὲν ὁ δῆμος

ἡθέους K.

22 ΓΙΝ (K-W).

<οί> μ. K-W, -ν <οί> μ. H-L.

§§ 4—7 Pollux viii 89: ὁ δὲ ἄρχων διατίθῃσι μὲν Διονύσια καὶ Θαργῆλια “μετὰ τῶν ἐπιμελητῶν,” δίκαι δὲ πρὸς αὐτὸν λαγχάνονται “κακώσεως,” “παρνοίας,” “εἰς δατητῶν (διαιτητῶν codd.) αἵρεσιν,” ἐπιτροπῆς ὄρφανῶν, ἐπιτρόπων καταστάσεως, “κλήρων καὶ ἐπικλήρων ἐπιδικασίαι. ἐπιμελεῖται δὲ καὶ” “τῶν γυναικῶν” αἱ ἂν φῶσιν ἐπ’ ἀνδρὸς τελευτῇ κύειν, καὶ τοὺς οἴκους ἐκμισθοῖ τῶν ὄρφανῶν. § 6 Lex. rhet. Cantab. ἐπώνυμος ἄρχων: ... λαγχάνονται δὲ πρὸς αὐτὸν (Dobree: cod. παρ’ αὐτῶν) καὶ γραφαί· καὶ δίκας εἰς τὸ δικαστήριον εἰσάγει. Bekk. An. 310: πρὸς τὸν ἀρχοντα κακώσεως ἐλαγχάνοντο γραφαὶ καὶ τῶν γονέων, εἰ τούτους τις αἰτῶν ἔχοι κακοῦν, καὶ τῶν ὄρφανῶν (ib. 269). ἔτι δὲ παρνοίας καὶ ἀργίας, (κλήρων add. K-W) ἐπιδικασίαι καὶ ἐπικλήρων γυναικῶν. Phot. ἡγεμονία δικαστηρίου: τοῖς ἀρχουσιν οὐ πάσας πᾶσιν ἐφέιτο δίκας εἰσάγειν· ἀλλὰ τῷ μὲν ἀρχοντι τὰς τῶν ὄρφανῶν καὶ τὰς τῆς παρνοίας καὶ τὰς τῶν ἐπικλήρων ἐπιδικασίας. Harp. ἡγ. δικ.: ... πρὸς μὲν τὸν ἀρχοντα αἱ τῶν ὄρφανῶν καὶ τῶν ἐπικλήρων (ἐλαγχάνοντο δίκαι). Frag. 381², 420³.

ἐσώθη, τὴν τριακόντορον. Cf. Boeckh, *Seeurkunden*, pp. 76—79; A. Mommsen, *Heortologie*, p. 402. In the *Class. Rev.*, v 123 a, τριακόντοριον is described as an ‘entirely new word’; but it is actually found in a contemporary inscr. of B.C. 325/4, CIA ii 811, p. 261, col. 2, 180, τριακοντορίων κώπας.

ἡθέους] trisyllabic in Attic, Eur. *Phoen.* 945, οὐ γὰρ ἐστὶν ἡθεός, and Eupolis *Incert.* 332 Kock, εἰ μὴ κόρη δεύσειε τὸ σταῖς ἡθεός. The Homeric form ἡθεός is retained by editors in Plat. *Leg.* 840 D, 877 E.

§ 4. τῷ Ἀσκληπιῷ κτλ.] Philostr. *Vit. Apoll.* iv 18, τὰ δὲ Ἐπιδαῦρια μετὰ πρῶρον τιν τε καὶ ἱερεῖα δεῦρο μυνεῖ Ἀθηναῖος πάτριον ἐπὶ θυσία δευτέρα, τοῦτι δ’ ἐνόμισαν Ἀσκληπιῷ ἔνεκα, ὅτι δὴ ἐμύθησαν αὐτὸν ἡκοντα Ἐπιδαυρόθεν ὁψέ μυστηρίων. The night of the 18th Boedromion, the eve of the festal march to Eleusis, was probably spent by the devout in sleeping in the temple of Asclepius, S. of the Acropolis (Mommsen, *Heortologie*, p. 253, ap. *Dict. Ant.* i 718 ὁ).

Διονυσίων] The πομπή was on the 9th of Elaphebolion (about March 28). In it the statue of Dionysus Eleuthereus was carried from his temple in Limnae to another of his sanctuaries, near the Academy (Paus. i 29, Philostr. *Vit. Soph.* ii 15); and then brought back again and placed in the theatre. The procession included the priests and civil officials, the knights and the citizens in their tribes, as well as the *erhebi*, and the *canephori* (Schol. Arist. *Ach.* 242). Daremberg and Saglio, iii 242.

τῶν ἐπιμελητῶν] sc. τῆς πομπῆς. In

Dem. c. *Mid.* 15, they are described as elected by open voting, (Μειδίας) κελεύειν ἑαυτὸν εἰς Διονύσια χειροτονεῖν ἐπιμελητήν. In *Phil.* i § 35, Dem. implies that the functionaries concerned with the Dionysia were appointed by lot: τὴν μὲν τῶν Παναθηναίων ἑορτὴν καὶ τὴν τῶν Διονυσίων αἰεὶ τοῦ καθήκοντος χρόνου γίγνεσθαι ἂν τε δεινοὶ λάχουσιν ἂν τε ἰδιῶται οἱ τοῦτων ἐκατέρων ἐπιμελούμενοι. The first Philippic falls in the first half of B.C. 351. The speech against Midias is assigned by Dionys. Hal. *Epist. Annon.* i 4, 4 (A. Schaefer, *Dem.* ii 103) to B.C. 349/8; the Dionysia at which Midias insulted Dem. fell two years before, early in April 351 or 350; and Midias must have been elected ἐπιμελητής either for 352/1 or 351/0. As the appointment of the ἐπιμεληταὶ by lot had come into force in the first half of 351, Midias must have been elected ἐπιμελητής for 352/1, and the change was probably made between the Dionysia, early in April, and the end of the civil year, about June.

After the time when the text was written, the appointment by lot was apparently given up. In B.C. 281/0 (Ἀθῆν. vii 480, no. 3) we have 10 ἐπιμεληταὶ τῆς πομπῆς τῷ Διονύσιῳ representing only 6 or 7 of the tribes, and therefore probably elected out of the whole body of citizens, instead of being taken by lot, one from each tribe. After B.C. 265 (CIA ii 420) they are described as οἱ χειροτονηθέντες ἐπιμεληταὶ τῆς πομπῆς and their number is 24 (two for each of the 12 tribes of that time). Daremberg and Saglio, s. v. iii 682—4.

ἐχειροτόνει δέκα ὄντας, [καὶ τὰ] εἰς τὴν πομπὴν ἀναλώματα παρ' αὐτῶν ἤν[εγκ]ον, νῦν δ' ἓνα τῆς φυλ[ῆς] ἐκά[στης] κληροί, καὶ 25 5 δίδωσιν εἰς τὴν κατασκευὴν ἑκατὸν μνᾶς. ἐπιμελ[εῖται] δὲ καὶ τῆς εἰς Θαργήλια καὶ τῆς τῷ Διὶ τῷ Σωτήρι. διοικεῖ δὲ καὶ τὸν ἀγῶνα τῷ [ν Διον]υσίῳ οὗτος καὶ <τὸν> τῶν Θαργηλίων. ἐορτῶν 6 μὲν οὖν ἐπιμελεῖται τούτων. γραφαὶ δ[ὲ] καὶ δ[ί]και λαγχάνονται πρὸς αὐτόν, ὡς ἀνακρίνας εἰς τ[ὸ δι]καστήριον εἰσά[γει, γο]νέων 30 κακώσεως (αὐταὶ δὲ εἰσιν ἀζήμιοι τῷ βουλομένῳ δ[ιὼκ]ειν), ὀρφανῶν κ[ακώ]σεως (αὐταὶ δ' εἰσὶ κατὰ τῶν ἐπιτροπῶν), ἐπι-

25 ΗΝ[ΕΓΚ]ΟΝ? (K, H-L), ΔΗΗΛΙΚΟΝ? (K-W), [ἀ]ν[ή]λ[ισκ]ον B.

Διον] H, K-W, B: τὸν τῶν Διον] H-L sed spatium non sufficit.

K-W.

30 εἰτ' [εἰς] K; εἰτ' [εἰς <τὸν>] H-L; εἰς τ[ὸ] K-W (B): scriptura incerta.

γο]νέων Wyse, Blass, K-W, H-L, K³.

28 τῷν

<τὸν> τῶν Θ.

ἑκατὸν μνᾶς] Probably the sum granted to the whole body.

§ 5. τῆς εἰς Θαργήλια] *sc.* πομπῆς. On the second day there was a procession, as well as a cyclic chorus.

τῆς τῷ Διὶ τῷ Σωτήρι.] This festival, which included a public sacrifice, was held on the 14th day of Scirophorion, the last month of the Attic year, either in Athens in the Cerameicus (so Hermann-Stark, *Gottesdienst. Alt.* § 61, 21; Boeckh, ii 117, 125 Fränkel; A. Schaefer, *Dem.* iii 337, n. 2; A. Mommsen, *Heortol.* p. 453), or in the Peiraeus (see esp. Wachsmuth, *Stadt Athen*, ii 143). The text does not help to decide the dispute as to the place where the festival was held. It should probably be distinguished from the *θυσία* to *Ζεὺς Σωτήρ* on the last day of the year (Lys. 26 § 6), which was also superintended by the archon. Shortly before B.C. 268 the sacrifice of the *εἰσιτήρια* for the *βουλή* and *δῆμος* was offered not by the archon, but by the priest of *Ζεὺς Σωτήρ* (CIA ii 325—6).

§ 6. γραφαὶ κτλ.] The archon *eponymus* succeeded to many of the judicial functions of the ancient kings, and was specially regarded as the public protector of those who were unable to defend themselves. This is shewn by the duties here assigned to him. Cf. *Dem.* 25 *Laer.* 48, *ἐπικλήρων καὶ ὀρφανῶν καὶ τῶν τοκέων τῷ ἀρχοντι προστέτακται ἐπιμελεῖσθαι*, and the Law quoted in *Dem.* 43 *Macart.* 75. In the following list we have no clear distinction drawn between *γραφαὶ* and *δίκαι*.

ἀνακρίνας] *Dem. Olym.* 31, ὁ ἀρχων ἀνέκρινε πᾶσιν ἡμῖν τοῖς ἀμφισβητοῦσιν. Meier and Schöm. pp. 43, 823 Lips.; *Dict. Ant. s. v. Anakrasis*.

γονέων κακώσεως κτλ.] In Bekker's *Anecd.* p. 269, *s. v.* κακώσεως, the three kinds of κακώσις are all mentioned in the same order, and in the same terms, as in the text: ἡ τοιαύτη δίκη οὕτως ἀπεφέρετο γονέων κακώσεως, ὀρφανῶν κακώσεως ἢ οἴκου ὀρφανικοῦ κακώσεως. On the various forms of κακώσις cf. Meier and Schöm. p. 353—360 Lips.

κακώσις γονέων was committed by those who struck or reviled their parents, or even were disobedient to them; by those who refused them the means of support... or did not bury them after their death and pay them proper honours' (*Dict. Ant. s. v.*); *Xen. Mem.* ii 2, 13, ἐάν τις γονέας μὴ θεραπεύῃ, τοῦτω δίκην τε ἐπιτίθῃσι καὶ ἀποδοκιμάζουσα οὐκ ἔα ἄρχειν τοῦτον... ἐάν τις τῶν γονέων τελευτήσαντων τοὺς τάφους μὴ κοσμήῃ, καὶ τοῦτο ἐξετάζει ἡ πόλις ἐν ταῖς τῶν ἀρχόντων δοκιμασίαις. *Dem. Timocr.* 107, (the laws) οἱ καὶ ζῶντας ἀναγκάζουσι τοὺς παῖδας τοὺς γονέας τρέφειν, καὶ, ἐπειδὴ ἀποθάνωσιν, ὅπως τῶν νομιζομένων τύχωσιν. *Diog. Laert.* i 55 (lex Solonis), ἐάν τις μὴ τρέφῃ τοὺς γονέας, ἄτιμος ἔστω. *Isaeus* 8 § 32, (the law of κακώσις) κελεύει τρέφειν τοὺς γονέας. *Hyperides, pro Eux.* c. 21, φαλλός ἐστι πρὸς τοὺς ἐαυτοῦ γονέας· ὁ ἀρχων ἐπὶ τούτου κᾶθηται.

ἀζήμιοι] *Dem.* 37 *Pant.* 46 (in a case of ἐπικλήρου κακώσις), τῷ ἐπεξιδόντι μετ' οὐδεμίας ζημίας ἡ βοήθεια.

ὀρφανῶν κακώσεως] committed by those who wronged orphans. *Dem. Macart.* § 75, ὁ ἀρχων ἐπιμελεῖσθω τῶν ὀρφανῶν καὶ τῶν ἐπικλήρων. *Schol.* ad *Dem. Timocr.* ὁ ἀρχων ἐπεμελεῖτο... τῶν ὀρφανῶν.

κλήρου κακώσε[ως] (αὐται δέ εἰσι κατὰ [τῶν] ἐπιτρόπων καὶ τῶν
 συνοικούντων), οἴκου ὀρφανικοῦ κακώσεως (εἰσὶ δὲ καὶ [αὐται κατὰ
 35 τῶν] ἐπιτρό[π]ων), παρανοίας, ἐάν τις αἰτιᾶται τινα παρανοοῦντα
 τὰ [ὑπάρχοντα ἀ]πολλύν[αι], εἰς δατητῶν αἵρεσιν, ἐάν τις μὴ
 'θέλῃ [κ]οινὰ [τὰ ὄντα νέμεσθαι], εἰς ἐπιτροπῆς κατάστασιν, εἰς
 ἐπιτροπῆς διαδικασίαν, εἰς [ἐμφανῶν κατάστασιν], †ἐπίτροπον

36 τὰ [ἐαυτοῦ κτήματα] κ, decem tantum litterarum spatium relictum con-
 fessus; τὰ [πατρῶα] Wyse (H-L), τ[ὸν οἶκον] K-W, sed plures litterae flagitantur et
 τὰ fortasse legi potest; fortasse recte igitur τὰ [ὑπάρχοντα] B. ΔΙΔΙΤΗΤΩΝ
 δατητῶν K (K-W, H-L, B) ex Harp. et lex. Cantabr. 38—39 εἰ [πλείονες τῆς αὐτῆς]

36 *Lex. rhet. Cantabr. εἰς δατητῶν <αἵρεσιν> :...ἐπὶ τῶν διανεμόντων τὰ κοινὰ
 τισιν, ὡς Ἀρ. ἐν τῇ Ἀθ. πολ. “δίκαι λαγχάνονται πρὸς” τὸν ἀρχοντα ἄλλαι τε (Dobree;
 ἀλλ’ εἰ τις cod.) καὶ “εἰς δατητῶν αἵρεσιν,” ὅταν “μὴ θέλῃ κοινὰ τὰ ὄντα νέμεσθαι.
 *Etym. M. δατητῆς: παρ’ Ἀττικοῖς ὁ διανεμητῆς. Ἀριστοτέλης. *Harp. δατεῖσθαι...τὸ
 δὲ εἰς δατητῶν αἵρεσιν εἰδὸς τι δίκης ἐστίν. ὅποτε γὰρ κοινωνοῖεν τινες ἀλλήλοις
 καὶ οἱ μὲν βούλοντο διανεμεσθαι τὰ κοινὰ, οἱ δὲ μὴ, ἐδικάζοντο οἱ βουλόμενοι τοῖς μὴ
 βουλομένοις προσκαλούμενοι εἰς δατητῶν αἵρεσιν. Ἀνσίας ἐν τῷ πρὸς Ἀλεξίδημον εἰ
 γνήσιος, καὶ Ἀρ. ἐν τῇ Ἀθ. πολ. (Frag. 383², 422³). Addit Suidas, s.v. δατεῖσθαι:
 δατηταὶ κυρίως οἱ τὰ κοινὰ διανεμόντες τοῖς μὴ βουλομένοις.

38 aut hic aut alibi in eodem capitulo (velut v. 37, ante εἰς ἐπιτροπῆς κατάστασιν)
 excidit εἰς ἐμφανῶν κατάστασιν. Cf. *Harp. s.v. infra exscriptum (Frag. 382², 421³).

ἐπικλήρου κακώσεως] committed by
 the guardians of poor heiresses; or by
 their nearest relatives, who either de-
 clined to marry them or give them a
 dowry, or who kept them out of their
 wedded rights. Law in Dem. *Macart.*
 54, 75. Isaeus 3 § 46, οὐκ ἂν εἰσῆγγελ-
 λες πρὸς τὸν ἀρχοντα κακοῦσθαι τὴν ἐπί-
 κληρον...ἄλλως τε καὶ μόνων τούτων τῶν
 δικῶν ἀκινδύνων τοῖς διώκουσιν οὐσῶν καὶ
 ἐξὸν τῷ βουλομένῳ βοηθεῖν ταῖς ἐπικλή-
 ροις; and *ib.* 47 (cf. Meier and Schöm.
 p. 333 Lips.).

κατὰ τῶν ἐπιτρόπων κτλ.] These are
 the ordinary cases, but the statement is
 not exhaustive. Dem. 37 *Pant.* 45, ἡτι-
 ᾶσατο ἐκέκινον—ἐπὶ τὰς ἐπικλήρους εἰσελθεῖν
 καὶ τὴν μητέρα τὴν αὐτοῦ.

οἴκου ὀρφανικοῦ] ‘an orphan’s estate,’
 the regular technical sense of οἶκος, Xen.
Oec. i 5, = ὅσα τις ἐξω τῆς οἰκίας κέκτηται,
 and vi 4, = κτήσις ἢ σύμπασα. Thus, in
 Dem. 27 § 15, οἶκον μισθοῦν is ‘to let the
 orphan’s estate,’ whereas in § 16 we have
 οἰκῶν οἰκίαν in a different sense.

παρανοίας] This suit might be insti-
 tuted by a son (or other relative acting
 on his behalf), against one who had be-
 come mentally incapable of managing his
 own affairs. Plat. *Leg.* 928 D; Arist.
Nub. 844 ff.; Xen. *Mem.* i 2, 49; Aeschin.
c. Ctes. 251. Meier and Schöm. p. 566
 Lips.

εἰς δατητῶν αἵρεσιν] If, in a business

held in partnership, any one or more of
 the partners wished to retire, and the
 partners could not agree, those who in-
 sisted on the winding up of the concern
 might bring an action for the appoint-
 ment of liquidators (Harpocr. s. v. δα-
 τεῖσθαι). It has been conjectured that
 δατηταὶ might be appointed even in cases
 not involving partnership in business, e.g.
 in disputes as to the division of an in-
 heritance, and that this was the original
 object of the legal process (Meier and
 Schöm. p. 483 Lips.). This is confirmed
 by the context, which refers to matters
 of family property and the duties of
 guardians. Probably it was only in the
 case of the inheritance of a citizen that
 the archon eponymus was the responsible
 official. Daremberg and Saglio, s. v.

ἐπιτροπῆς κατάστασιν] ‘constituting
 a wardship.’ In the absence of directions
 by will, the next of kin acted as ἐπιτροποι
 if authorised by the archon (e.g. the elder
 brother, Lys. c. *Theomn.* i 5; or the
 uncle, Isaeus, *Cleonym.* § 9). Failing re-
 latives suitable for the duty, the archon
 selected some one from the general body
 of citizens. Dict. Ant. *Epitropus*, i 751 b;
 Meier and Schöm. p. 552.

ἐπιτροπῆς διαδικασίαν] ‘deciding be-
 tween rival claims to a wardship.’ Meier
 and Schöm. p. 471 ff. Lips.; and Lipsius,
Leipzig Verhandl. p. 50.

εἰς ἐμφανῶν κατάστασιν] This clause

7 αὐτὸν ἐγγράψαι†, κλήρων καὶ ἐπικλήρων ἐπιδικασίαι. ἐπιμε-
 λείτ[αι] δὲ καὶ τῶν [ὀρφ]ανῶν καὶ τῶν ἐπικλήρων, καὶ τῶν 40
 γυναικῶν ὅσαι. ἂν τελευτήσαντος τοῦ ἀνδρὸς σκη[πτω]νται
 κυεῖν· καὶ κύριός ἐστι τοῖς ἀδικοῦσιν ἐπιβάλλ[ειν], ἢ εἰσάγειν
 εἰς] τὸ δικαστήριον. μισθοῖ δὲ καὶ τοὺς οἴκους τῶν ὀρφανῶν
 καὶ τῶν ἐπικλήρων, ἕως ἄν τις τετταρακαίδε[κέ]τις γένηται,

θέλωσ[ιν] ἐπίτροπον αὐτὸν ἐγγράψαι K²; ἐὰν πλείους ἅμα ἐθέλωσ[ιν] ἐπίτροπον <τὸν>
 αὐτὸν ἐγγράψαι H-L: ἐ[άν] τις ἀμφισβητῇ δε[ῖν] Lipsius (Poland). εἰς [ἐμφανῶν κατὰ-
 στας] ex Harp., ἐπ[ί]τρο[πον] αὐτὸν ἐγγράψαι K-W, K³, verba tria ultima non in-
 telligi posse confessi (B); εἰ fere certum, etiam εἰς vix ambiguum. 39 ΕΝΓΡΑΨΑΙ.

42 ἢ εἰσάγειν Lipsius, K-W, K³, B: ζημίαν ἢ ἄγειν K¹ (H-L) sed spatium vix sufficit.

44 post ἐπικλήρων lacunam indicant K-W. ἀκαίδ...τεῖς; ὁ[ατ]η[τ]ῆς K; δ...της
 K-W; ἐὰν μὴ αὐτὸς ὁ ἐπίτροπος διοικητὴς γένηται aut simile aliquid expectabat Her-
 werden. [ἕως ἄν τις τετταρακαίδε[κέ]τις γένηται optime B.

is suggested by Harpocr. s. v., ὁ δὲ Ἄρ. ἐν τῇ Ἀθ. πολ. πρὸς τὸν ἄρχοντά φησι λαγχάνεσθαι ταύτην τὴν δίκην, τὸν δὲ ἀνακρίναντα εἰσάγειν εἰς τὸ δικαστήριον. It is placed here by Kaibel and Wilamowitz, by Mr Kenyon (ed. 3), and by Blass. But there is something to be said in favour of placing it (with Lipsius) before εἰς ἐπίτροπὴς κατὰστας, and filling up the lacuna with words that agree with the sequel, ἐπίτροπον αὐτὸν ἐγγράψαι.

Isaeus, 6 § 31, ἀπῆται τὸν Πυθόδωρον τὸ γραμματεῖον καὶ προσεκαλέαστο εἰς ἐμφανῶν κατὰστας. καταστήσαντος δὲ ἐκείνου πρὸς τὸν ἄρχοντα κτλ. Dem. 53 § 14, ἐξ ἐμφανῶν κατὰστας. A man in possession of goods or documents, which another person either owned or had a legal right to inspect, might be required by the latter to produce them, ἐμφανῇ καταστήσαι. If he refused, he might be fined; on the other hand, the party summoned might disclaim possession of the things required or decline to admit the obligation of producing them. In either case the person demanding their production might bring an action εἰς ἐμφανῶν κατὰστας. Meier and Schöm. p. 478 Lips.

In the present context, the phrase can only refer to procedure connected with cases of inheritance (*ib.* p. 59).

κλήρων καὶ ἐπικλήρων ἐπιδικασίαι] Dem. 43 *Macart.* 16. When a person claimed an inheritance or heiress adjudged to another, the former summoned the latter before the archon, who brought the case into court. Meier and Schöm. pp. 603—617 Lips.

§ 7. τῶν ὀρφανῶν κτλ.] The archon is ἐπικλήρων καὶ ὀρφανῶν κύριος (Lysias, 26 *Evand.* 12). Cf. Dem. 43 § 75 (lex), ὁ

ἄρχων ἐπιμελείσθω τῶν ὀρφανῶν καὶ τῶν ἐπικλήρων καὶ τῶν οἴκων τῶν ἐξερμυμένων καὶ τῶν γυναικῶν, ὅσαι μένουσιν ἐν τοῖς οἴκοις τῶν ἀνδρῶν τῶν τεθνηκότων φάσκουσαι κυεῖν. τούτων ἐπιμελείσθω καὶ μὴ ἐάτω ὑβρίζειν μηδὲνα περὶ τούτους. ἐὰν δὲ τις ὑβρίξῃ ἢ ποιῇ τι παράνομον, κύριος ἔστω ἐπιβάλλειν κατὰ τὸ τέλος. [Dem.] 35 § 48; Aesch. 1 § 158.

μισθοῖ] Isaeus 3 § 36, μισθοῦν ἐκέλευον τὸν ἄρχοντα τοὺς οἴκους ὡς ὀρφανῶν ὄντων, ὅπως... τὰ ἀποτιμήματα κατασταθῇ καὶ ὅροι τεθῇ, 2 § 9, μετασχῶν τοῦ οἴκου τῆς μισθώσεως τῶν παίδων τοῦ Νικίου, and 11 § 34, Lys. 32 c. *Diog.* 23, ἐξῆν αὐτῷ κατὰ τοὺς νόμους οἱ κείνται περὶ τῶν ὀρφανῶν... μισθῶσαι τὸν οἶκον. Dem. 27 *Arhob.* A 58, ἐξῆν (τῷ ἐπιτρόπῳ) μηδὲν ἔχειν τούτων τῶν πραγμάτων μισθῶσαντι τὸν οἶκον, and 29 § 60. The income was often more than 12 per cent.

The lessees had to give security (ἀποτιμήμα) for the property leased to them. The archon sent certain persons (ἀποτιμήται) to value the security and determine whether it was a fair equivalent for the property leased (Harpocr. s. v. ἀποτιμήται· οἱ μισθοῦμενοι τοὺς τῶν ὀρφανῶν οἴκους παρὰ τοῦ ἀρχontos ἐνέχυρα τῆς μισθώσεως παρέχοντο· ἔδει δὲ τὸν ἀρχοντα ἐπιπέμπειν τινὰς ἀποτιμησομένους τὰ ἐνέχυρα. τὰ μὲν οὖν ἐνέχυρα τὰ ἀποτιμώμενα ἐλέγοντο ἀποτιμήματα κτλ.). On land thus offered as security a ὅρος was placed, with an inscr. stating the person for whose property it served as security, CIA ii 1135, ὅρος χωρίου καὶ οἰκίας ἀποτιμήμα παιδὶ ὀρφανῷ Διογέτονος Προβα[λίσου]. Meier and Schöm. p. 362—3 Lips.; Schulthess, *Vormundschaft*, pp. 139—173.

τετταρακαίδε[κέ]τις] If this restoration is correct (and none better has been pro-

45 καὶ τὰ ἀποτιμήματα λαμβάν[ει] καὶ τοὺς ἐπιτρόπους], ἐὰν μ[ὴ] ἀπο]δῶσι τοῖς παισὶν τὸν σῖτον, οὗτος εἰσπράττει.

57. καὶ ὁ [μὲν ἄρχων ἐπιμελεῖτ]αι τούτ[ων. ὁ δὲ] βασιλεὺς πρῶτον μὲν μυστηρίων ἐπιμελεῖται μετὰ τῶν ἐπιμελητῶν οὓς] ὁ δῆμ[ος χ]ειροτονεῖ, δύο μὲν ἐξ Ἀθηναίων ἀπάντων, ἓνα δ' <ἐξ> [Εὐμολπιδῶν, ἓνα] δ' <κ> Κηρ[ύκω]ν. ἔπειτα Διουνσίων τῶν ἐπὶ

45 καὶ τοὺς ἐπιτρόπους E H Brooks (K-W, H-L, B); καὶ οἱ ἐπιτροποι (hiatu ad-misso) quondam conieci. εΑΝ (K, K-W, B): οἱ ἄν (ex οἱ ἐὰν) van Leeuwen (H-L).

46 [ἀπο]δῶσι et Wysio et mihi olim placuit (K³): [δι]δῶσι K-W, B, ἀποδιδῶσι H-L.

LVII 1 ὁ μὲν ἄρχων Blass et Herwerden (K-W, H-L, K³): οὗτος μὲν οὖν K¹. 3 χειροτονεῖ Harp. (K¹). 4 Εὐμολπιδῶν K ex Harp.: ἐξ Εὐμολπιδῶν—ἐκ Κηρύκων Gertz (K-W, H-L, B).

TESTIMONIA. LVII § 1 *Harp. ἐπιμελητῆς τῶν μυστηρίων: παρ' Ἀθηναίους ὁ λεγόμενος βασιλεὺς... Ἀρ. ἐν Ἀθ. πολ. φησὶν οὕτως: “ὁ δὲ βασιλεὺς—τῶν μυστηρίων—χειροτονεῖ (Bekker et Müller; χειροτονεῖ codd.) ἓνα δ' ἐξ Εὐμολπιδῶν, ἓνα δ' ἐκ Κηρύκων. Suid. et Etym. M. τέσσαρες δὲ ἦσαν, δύο μὲν ἐξ... εἰς δὲ ἐκ... καὶ εἰς ἐκ (Frag. 386², 425³). Pollux viii 90: ὁ δὲ βασιλεὺς μυστηρίων πρόεστηκε “μετὰ τῶν ἐπιμελητῶν” καὶ Ἀθηναίων καὶ ἀγῶνων τῶν ἐπὶ λαμπάδι (cf. Lex. Dem. Catm. p. 11) καὶ (add. Schol. Pl. *Euthyphr.* p. 325) τὰ περὶ τὰς πατρῴας θυσίας διοικεῖ (F. Heraclides epitom., Rose Frag. 611, 8, ὁ δὲ βασιλεὺς τὰ κατὰ τὰς θυσίας διοικεῖ. Schol. in Plat. *Phaedr.* 235 D, ὁ δὲ βασιλεὺς μυστηρίων προνοεῖται καὶ τὰς θυσίας τὰς πατρῴας διοικεῖ). Bekk. *An.* p. 219, 14: ... ὁ δὲ βασιλεὺς “μυστηρίων ἐπιμελεῖται μετὰ τῶν ἐπιμελητῶν οὓς ὁ δῆμος” χειροτονήσῃ. Phot. ἡγεμονία δικαστηρίου, ad fin. ὁ βασιλεὺς καὶ τῶν μυστηρίων ἅμα τοῖς ἐπιμεληταῖς προϊσταται. Cf. Frag. 385², 422³.

posed), we here have the age at which the ἐπίκληρος ceased to be under the care of the archon. Nothing has hitherto been known on this point (Schulthess, p. 177). Isaews (6 § 14) simply tells us that one Callippe would naturally have ceased to be under an ἐπίτροπος at the age of 30 (τριακοντούτις).

ἀποτιμήματα] here of lands offered as security by persons who had the estates of minors leased to them. The term is also applied to the security which a husband gives the κύριος of his wife as a guarantee that her marriage-portion (of which he has the usufruct) will remain intact (Meier and Schöm. p. 518). [Dem.] 49 § 11, ὁ... ἐν πεδίῳ ἀγρὸς ἀποτίμημα τῷ παιδί τῷ Εὐμηλίδου καθιεστήκει. Cf. Schulthess, *l.c.* p. 157, and see note on μισθοί, above.

σῖτον] Pollux viii 33, σῖτος δὲ ἐστὶν αἱ δὀτειλόμεναι τροφαί. Cf. Harp. in *Testim.*, and Meier and Schöm. p. 525—6 Lips.

LVII. *The archon basileus.*

§ 1. βασιλεὺς] The archon basileus succeeded to the religious duties of the ancient kings. Gilbert i 241; Meier and Schöm. p. 61 Lips.

μυστηρίων] [Lys.] 6 c. *Andoc.* 4, ἄν... λάχῃ βασιλεὺς, ἄλλο τι ἢ ὑπὲρ ἡμῶν καὶ

θυσίας θύσει καὶ εὐχὰς εὔξεται κατὰ τὰ πάτρια, τὰ μὲν ἐν τῷ ἐνθάδε Ἐλευσινίῳ, τὰ δὲ ἐν τῷ Ἐλευσίνι ἱερῷ, καὶ τῆς ἐορτῆς ἐπιμελήσεται μυστηρίους;

ἐπιμελητῶν] sc. τῶν μυστηρίων. Dem. 21 § 171, χειροτονήσατε τοῦτον (Midias) μυστηρίων ἐπιμελητῆν. We have decrees in honour of these ἐπιμεληταί in CIA ii 315 (= Ditt. 386, 26; B.C. 283/2 or 282/1), and 376 (before end of 3rd cent. B.C.). In each of these decrees the compliment is paid to the two ἐπιμεληταί elected out of the whole body of the citizens, and not to those belonging to the Κήρυκες and Εὐμολπίδαι. Cf. CIA ii 741 (= Ditt. 374, 10), B.C. 334/3, [ἐγ] Διουνσίων τῶν [ἐπὶ Ἀ]θηναίῳ [π]αρά μυστηρίων ἐπιμελητῶν.

Κηρύκων] CIA ii 597 (a decree of the Κήρυκες, about the age of Alexander): ἐπειδὴ Εὐθύδημος ὁ πάρεδρος τοῦ βασιλέως καλῶς καὶ φιλοτίμως μετὰ τοῦ βασιλέως καὶ τοῦ γένους τοῦ Κηρύκων ἐπεμελήθη τῶν περὶ τὰ μυστήρια κτλ.

τῶν ἐπὶ Ἀθηναίῳ] held in the district called Αἶμναι, S. E. of the Acropolis, about Jan. 28—31 (Dict. Ant. i 638). It was the festival at which Comedies were generally produced, e.g. the *Acharnians*, *Equites*, *Vesprae* and *Ranae*.

Ληναίω· ταῦτα δ' ἐστὶ [πομπή καὶ μουσικῆς ἀγών. τὴν] μὲν οὖν 5
 [Col. 29.] πομπὴν κοινῇ πέμψουσιν ὃ τε βασιλεὺς καὶ οἱ ἐπιμεληταί· τὸν
 δὲ ἀγὼνα διατίθουσιν ὁ βασιλεὺς. τίθησι δὲ καὶ τοὺς τῶν λαμ-
 πάδων ἀγῶνας ἅπαντας· ὥς δ' ἔπος εἰπεῖν [[καὶ]] τὰς πατρίους
 2 θυσίας διοικεῖ οὗτος πάσας· γραφαὶ δὲ λαγχάνονται πρὸς αὐτὸν
 ἀσεβείας, κἂν τις ἱερωσύνης ἀμφισβητῇ πρὸς τινα· [διαδι-]κάζει 10
 δὲ καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι τὰς ἀμφισβητήσεις τὰς ὑπὲρ
 [τῶν γε]ρῶν ἀπάσας οὗτος. λαγχάνονται δὲ καὶ αἱ τοῦ φόνου
 δίκαι πᾶσαι πρὸς τοῦτον, καὶ ὁ προαγορεύων εἶργεσθαι τῶν

5 ΛΗΝΑΙΩΝ. [πομπή καὶ ἀγών. τὴν] H-L, K³, B: [πομπή καὶ μουσικῆς ἀγών. τὴν] K-W. Supplementum illud parum multas, hoc parum paucas, litteras habere arbitratur K, sed (nisi fallor) fere viginti litteris spatium aptum est, ut ΠΟΜΠΗΚΜΟΥΣΙΚΗΚΔΓΩΝΤ litteras undeviginti continere possit. 7 ΤΙΘΗΣΙ (K, B): <δια>τίθησι Richards, Gertz, K-W, H-L. 8 καὶ del. K-W, H-L. 9 'quidni οὗτος διοικεῖ?' B. 10 ἱερωσὶς ἱερωσύνης K-W, Meisterhans, p. 36². ΠΡΟΤΙΝΑ (K-W, H-L, K³, B); διαδικάζει addendum putat B: προστιμᾷ Bekk. *Anec.* (K¹). 12 γε]ρῶν K e Bekk. *An.* 219 (K-W, H-L, B): ἱερῶν (quod etiam in ectypo videt B, coll. Bekk. *An.* 310), Richards.

§ 2 Pollux viii 90: δίκαι δὲ πρὸς αὐτὸν λαγχάνονται ἀσεβείας, ἱερωσύνης ἀμφισβητήσεως. καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι (e schol. Pl. Bekk.: ἱεροῖς libri) πᾶσιν αὐτοῖς δικάζει. Bekk. *An.* p. 219, 16: "γραφαὶ δὲ λαγχάνονται πρὸς αὐτὸν ἀσεβείας. καὶ ἂν τις ἱερωσύνης" ἀμφισβητήσῃ προστιμᾷ. "διαδικάζει δὲ καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι τὰς ἀμφισβητήσεις τὰς ὑπὲρ τῶν γερῶν. λαγχάνονται δὲ—πρὸς τοῦτον." Phot. ἡγεμονία δικαστηρίου...τῷ μόνῳ γε βασιλεὶ τὰς τε φονικὰς καὶ τὰς τῆς ἀσεβείας καὶ ἂν τις ἱερωσύνης ἡμφισβητῇ, πρότερον δὲ καὶ τὰς περὶ τῶν γερῶν (ἱερῶν codd., corr. Meier) τοῖς ἱερεῦσιν ἀμφισβητήσεις. προηγόρευε δὲ καὶ τῶν νομίμων εἶργεσθαι τοὺς ἐν αἰτίᾳ. Pollux viii 90 προαγορεύει δὲ τοῖς ἐν αἰτίᾳ ἀπέχεσθαι μυστηρίων καὶ τῶν ἄλλων νομίμων κτλ. Bekk. *An.* 310, 6: ὁ βασιλεὺς εἰσάγει τὰς φονικὰς ἀπάσας, ἐπεὶ καὶ προαγορεύει τὸν ἀνδρόφρονον εἶργεσθαι τῶν νόμων (leg. νομίμων), καὶ περὶ τῶν ἱερῶν (leg. γερῶν) καὶ τοῖς γένεσι δικάζει.

πομπή κτλ.] 'law of Euegoros' in Dem. c. *Mid.* 10, ἡ ἐπὶ Ληναίῳ πομπή καὶ οἱ τραγῳδοὶ καὶ οἱ κωμῳδοὶ. Cf. Plat. *Protag.* 327 E, and Schol. Arist. *Eg.* 547. The mistake in the MS (Ληναίῳ for Ληναίῳ) possibly arose out of such phrases as ἐνίκα δὲ ἐπὶ Ληναίων (Schol. Aeschin. 2 § 15).

διατίθουσι...τίθησι.] See note on 54 § 2, καταγεγνώσκουσι...τὸ γνωσθέν.

λαμπάδων ἀγῶνας] At the Panathenaea (Mommens, *Heortol.* p. 169 f.) and Thesea (*ib.* 282), and the festivals of Hephaestus (*ib.* 311 f.), Prometheus and Pan. Plut. *Sol.* 1 *ad fin.* The expenses connected with the torch-race were borne by a γυμνασιάρχος. In CIA ii 606 we have a decree in honour of a γυμνασιάρχος reciting the names of certain λαμπαδηδρόμοι (about 350 B.C.). Law-suits concerning the γυμνασιάρχου came before the archon basileus (Dem. 35 § 48).

ὥς ἔπος εἰπεῖν] here modifying πάσας. Cf. 49 § 5; and 2 § 3, ὥς εἰπεῖν, with οὐδενός.

πατρίους θυσίας] *Pol.* 1285 b 16, αἱ πάτριαι θυσίαι κατελείφθησαν τοῖς βασιλεῦσι μόνον, Plat. *Politicus*, 290 E, τῷ λαχόντι βασιλεῖ φασὶ τῆδε (at Athens) τὰ σεμνότατα καὶ μάλιστα πάτρια τῶν ἀρχαίων θυσίων ἀποδεδῶσθαι. Athen. 234 F, κἂν τοῖς τοῦ βασιλέως δὲ νόμοις γέγραπται· θύειν τῷ Ἀπόλλωνι τοὺς Ἀχαρνέων παρασίτους.

§ 2. γραφαὶ κτλ.] Meier and Schöm. p. 61—64 Lips.

ἀσεβείας] Hypereides, *pro Eux.* c. 21, ἀσεβεῖ τις περὶ τὰ ἱερά; γραφαὶ ἀσεβείας εἰσι πρὸς τὸν βασιλέα. Meier and Schöm. pp. 62, 367 Lips.

ἱερωσύνης] a hereditary priesthood. Cf. c. 42, 36, κἂν τι κατὰ τὸ γένος ἱερωσύνη γένηται.

τῶν γερῶν] Bekk. *Anec.* 219, 16 (τῶν ἱερῶν, *ib.* 310, 6, and Photius), quoted in *Testim.*). Cf. Aeschin. c. *Ctes.* 18, τοὺς ἱερεῖς τοὺς τὰ γέγραμμένον λαμβάνοντας.

εἶργεσθαι τῶν νομίμων] *inf.* § 4, εἶργεσθαι τῶν ἱερῶν. Soph. *O. T.* 236 ff.; Dem.

νομίμων οὗτός ἐστιν. εἰσὶ δὲ φό[ου] δίκαι καὶ τραύματος, ἂν μὲν 3
 15 ἐκ προνοίας ἀποκτείνῃ ἢ τρώ[σ]ῃ, ἐν Ἀρείῳ πάγῳ, καὶ φαρμάκων,
 ἐὰν ἀποκτείνῃ δούς, καὶ πυρκαϊᾶς· [ταῦ]τα γὰρ ἡ βουλή μόνα
 δικάζει· τῶν δ' ἀκουσίῳ καὶ βουλευέσεως, καὶ οἰκέτην ἀποκτείνῃ

14 ἐὰν H-L.

15 ἢ τρώ[σ]ῃ K-W, quod fortasse legi posse recte (ut videtur)
 censet K: ΕΝΓΡ? ἐγγράφεται] K; <τις>, γράφεται H-L. ΦΑΡΜΑΚΟΝ (K, H-L,
 B): φαρμάκων K-W Pollucem secuti. 16 πυρκαϊᾶς B. μόνῃ van Leeuwen (H-L).

§ 3 Pollux viii 90: καὶ τὰς τοῦ φόνου δίκας εἰς Ἀρειὸν πάγον εἰσάγει. ib. 117 Ἀρειὸς
 πάγος: ἐδίκασε δὲ φόνον καὶ τραύματος ἐκ προνοίας, καὶ πυρκαϊᾶς, καὶ φαρμάκων, ἐὰν τις
 ἀποκτείνῃ δούς. Bekk. An. 311, 9 περὶ Ἀρειῶν πάγου: αὕτη κρίνει τὰς φοινικὰς δίκας
 καὶ φαρμάκων καὶ πυρκαϊᾶς.

17—18 *Harp. ἐπὶ Παλλαδίῳ...δικαστήριον οἷτω καλούμενον, ὡς καὶ Ἀρ. ἐν Ἀθ. πολ.,
 ἐν ᾧ δικάζουσιν ἀκουσίῳ φόνου οἱ ἐφέται. Hesych. δικαστήριον ἐνθα ἐδίκασον οἱ ἐφέται
 τοῖς ἀκουσίῳ φόνων δικάζομενοις. Eust. in Od. p. 1419, 53: ἐδίκασον δὲ κατὰ Πανσανίαν
 ἐκεῖ ἀκουσίῳ φόνου οἱ ἐφέται. Bekk. An. 311, 8: δικάζουσι δ' ἐν τούτῳ οἱ ἐφέται
 (Frag. 417², 457³). Schol. in Aeschin. 2 § 87: ἐπὶ τούτῳ ἐκρίνοντο οἱ ἀκούσιοι φόνοι.
 οἱ δὲ ἐν τούτῳ τῷ δικαστηρίῳ δικάζοντες ἐκαλοῦντο ἐφέται, ἐδίκασον δὲ ἀκουσίῳ φόνον καὶ
 βουλευέσεως καὶ οἰκέτην ἢ μέτοικον ἢ ξένον ἀποκτείναντι. Cf. Poll. viii 118.

17 *Harp. βουλευέσεως, infra exscriptus (Frag. 418², 458³).

Lept. 158, (Δράκων) γράφων χέρνιβος εἰρ-
 γεσθῶν τὸν ἀνδροφόνον, σπονδῶν κρατήρων
 ἱερῶν ἀγορᾶς, Ant. de Chor. 34, 40, Herod.
 10. Pollux viii 66, εἰργονται ἱερῶν καὶ ἀγο-
 ρᾶς οἱ ἐν κατηγορίᾳ φόνου, ἄχρι κρίσεως·
 καὶ τοῦτο προαγόρευσις ἐκαλεῖτο. Dem.
 Macart. 1069, προειπεῖν. The text shews
 that we are not justified in restricting the
 πρόρρησις to the next of kin, to the ex-
 clusion of the archon basileus (as urged
 by Philippi, Areop. p. 70).

§ 3. φόνον δίκαι] Pol. 1300 b 24, φοινικὸν
 μὲν οὖν εἶδη, ἂν τ' ἐν τοῖς αὐτοῖς δικασταῖς
 ἂν τ' ἐν ἄλλοις, περὶ τε τῶν ἐκ προνοίας καὶ
 περὶ τῶν ἀκουσίῳ καὶ δσα ὁμολογεῖται μὲν
 ἀμφισβητεῖται δὲ περὶ τοῦ δικαίου, τέταρτον
 δὲ δσα τοῖς φεύγουσιν ἐπὶ καθόδῳ ἐπιφέ-
 ρεται φόνον, οἷον Ἀθήνησι λέγεται καὶ τὸ ἐν
 Φρεαττοῖ δικαστήριον. Meier and Schöm.
 p. 376—387 Lips.

τραύματος] Dem. p. 1018, 9, τραύματός
 με εἰς Ἀρειὸν πάγον προσεκαλέεσθαι, 54
 § 18, τραύματος γραφαί. Aeschin. F. L.
 93. Ctes. 51 and 212, τραύματος ἐκ
 προνοίας γραφᾶς γραφόμενος. It was
 only 'wounding with intent to kill' that
 was classed with φόνος; in the absence
 of proof of such intent, the case was one
 of unlawful wounding (αἰκεία, 52 § 2).

ἐκ προνοίας κτλ.] Dem. 23 c. Aristocr.
 24, γέγραπται γὰρ ἐν μὲν τῷ νόμῳ τὴν βου-
 λὴν δικάζειν φόνον καὶ τραύματος ἐκ προ-
 νοίας καὶ πυρκαϊᾶς καὶ φαρμάκων, ἐὰν τις
 ἀποκτείνῃ δούς. Lucian, Anacharsis 19.

φαρμάκων] Philippi, Areop. pp. 41,
 51. Meier and Schöm. p. 382 Lips.

ἐὰν ἀποκτείνῃ δούς] Ant. de Chor. 17,

εἰ τὸν δόντα τὸ φάρμακόν φασιν αἴτιον
 εἶναι, ἐγὼ οὐκ αἴτιος. It was probably
 essential that actual death should ensue,
 and that the poison should have been
 administered by the person charged be-
 fore the Areopagus: 'etenim qui per
 alium curasset ut venenum daretur, eum
 oportuit βουλευέσεως accusari' (Forch-
 hammer, de Areop., p. 30). Similarly
 Antiphon, Or. 1, κατηγορία φαρμακείας,
 is really a case of βούλευσις, which would
 be tried by οἱ ἐπὶ Παλλαδίῳ.

ἐκ προνοίας applies to φαρμάκων as well
 as to φόνον κ.τ.λ.: Magn. Mor. i 16 (17),
 φασὶ ποτὲ τινα γυναῖκα φίλτρον τινὶ δοῦναι
 πιεῖν, εἴτα τὸν ἄνθρωπον ἀποθανεῖν ὑπὸ
 τοῦ φίλτρον, τὴν δ' ἄνθρωπον ἐν Ἀρείῳ
 πάγῳ ἀποφυγεῖν· οὐ παροῦσαν δι' οὐθὲν
 ἄλλο ἀπέλυσαν ἢ διότι οὐκ ἐκ προνοίας.

πυρκαϊᾶς] Meier and Schöm. p. 387
 Lips.

ἀκουσίῳ κτλ.] Schol. Aeschin. F. L.
 § 87, ἐδίκασον δ' ἀκουσίῳ φόνον καὶ βου-
 λεύσεως καὶ οἰκέτην ἢ μέτοικον ἢ ξένον ἀπο-
 κτείνειν (MSS; ἀποκτείναντι Sauppe; κτεῖ τις
 οἰκέτην—ἀποκτείνει Wyse).

βουλευέσεως] 'conspiracy (against life).'
 Harpocr. (and Suidas) s. v.—ὅταν ἐξ ἐπι-
 βουλῆς τίς τινα κατασκευάσῃ θάνατον, ἐὰν
 τε ἀποθάνῃ ὁ ἐπιβουλευθεὶς ἐὰν τε μή,—
 μάρτυς Ἰσαῖος ἐν τῷ πρὸς Εὐκλείδην, ἐπὶ
 Παλλαδίῳ λέγων εἶναι τὰς δίκας, Δείναρχος
 δὲ ἐν τῷ κατὰ Πιστίου ἐν Ἀρείῳ πάγῳ.
 Ἀριστοτέλης δ' ἐν τῇ Ἀθ. πολ. τῷ Ἰσαίῳ
 συμφωνεῖ. Hesych. τὸ ἐπιβεβουλευκέναι
 θάνατον οὕτως Ἀθήνησιν ἐλέγετο. And.
 de Myst. 94, Ant. de Chor. 16. Meier

τις ἢ μέτοικον ἢ ξένον, [οἱ ἐπὶ Π]α[λλ]αδίῳ· ἐὰν δ' ἀποκτείναι
 μὲν τις ὁμολογῇ, φῇ δὲ κατὰ τοὺς νόμους, ο[ἷον] μοιχὸν λαβὼν ἢ
 ἐν πολέμῳ ἀγνοήσας ἢ ἔν ἄθλῳ ἀγωνιζόμενος, τοῦ[τῳ] ἐπὶ 20
 Δελφινίῳ δικάζουσιν· ἐὰν δὲ φεύγων φυγὴν ὦν αἰδεσίς ἐστιν,
 αἰ[τίαν ἔχῃ] ἀποκτείναι ἢ τρώσαι τινα, τούτῳ δ' ἐν Φρεάτου
 δικάζουσιν· ὁ δὲ [ἀπολογ]εῖται προσορμισάμενος ἐν πλοίῳ.

18 οἱεπιπαλλαδιῳι? κ versus prioris parte ultima litteris evanidis scripta.
 τούτῳ μὲν ἐπὶ Π. κ-w, sed neque spatium sufficere neque litteras τούτ cerni posse
 censet κ. [οἱ ἐφέται ἐπὶ Π.] Brooks, H-L, sed ne his quidem verbis satis spatii relictum.
 20 τοῦ[τῳ] ἐν τῷ] ἐπὶ κ¹; τοῦ[τῳ] ἐπὶ Brooks, H-L, κ³, B: τούτῳ] δ' [ἐπὶ] Lipsius
 (κ-w), sed neque Δ cerni posse neque spatium litterae aptum superesse putat κ.
 21 αἰδ[ίαν] (supra scr. p)ecic. 22 αἰτίαν ἔχῃ ἀποκτείναι κ-w (κ³, B, coll. Dem. 23
 § 77): αἰτίαν προσλάβῃ κτείναι κ¹ (H-L). Φρεατοῦ κ-w, B coll. Dem. 23
 §§ 77, 78, ubi φρεατοῦ pr. S; nomen ἀπὸ τινος Φρεάτου ἥρωος, καθὰ φησι Θεόφραστος,
 deducit Harp.; Φρεατοῖ Harp., Ar. Pol. 1300 b 29 codex Ambrosianus, Helladius in
 Phot. Bibl. 535 a 28, Suidas; ἐς Φρεάτου et ἐν Φρεάτ.. Hesychius: Φρεατοῖ Pollux,
 Bekk. Anec. 311, 20 (K, H-L).

18—21 *Harp. ἐπὶ Δελφινίῳ...δικάζονται δὲ ἐνταῦθα οἱ ὁμολογούντες μὲν ἀπε-
 κτονέαι δικαίως δὲ πεποικημένοι τοῦτο λέγοντες, ὡς Δημ. ἐν τῷ κατ' Ἀριστοκράτους δηλοῖ
 καὶ 'Αρ. ἐν τῇ 'Αθ. πολ. Pollux viii 119...οὓς ὁμολόγει μὲν ἀποκτείναι, δικαίως δ' ἔφη
 τοῦτο δεδρακέναι. Eustath. in Il. p. 1221, 30: δικαστήριον 'Αθήνησιν ἐπὶ τῶν ὁμολο-
 γούντων φασὶ δεδρακέναι μὲν φόνον, κατὰ νόμους δέ. Bekk. An. 311, 13. Suid. ex
 Phot. ἐπὶ Δ., Hesych. (Frag. 419², 459³).

22 ἐν Φρεάτου. Cf. Poll. viii 120 infra exscriptum.

and Schöm. p. 384—6 Lips.; Philippi, *Areogr.*, p. 29—50; Dict. Ant. s. v.

ἐπὶ Παλλαδίῳ] Dem. 23 § 71, δικασ-
 τήριον τὸ τῶν ἀκουσίων φόνων... τὸ ἐπὶ
 Παλλαδίῳ... ἐνταῦθ' ὑποκείται πρῶτον
 μὲν διωμοσία, δεύτερον δὲ λόγος, τρίτον δὲ
 γυνῶσις τοῦ δικαστηρίου... τὸν ἀλόντ' ἐπὶ
 ἀκουσίῳ φόνῳ ἐν τισιν εἰρημένοις χρόνοις
 ἀπελθεῖν τακτὴν ὁδὸν καὶ φεύγειν ἕως ἂν
 αἰδέσθῃται τινα τῶν ἐν γένει τοῦ πεπονθότος.
 Paus. i 28, 8. Philippi, *Areogr.*, p. 23.

The Palladium and the Delphinium
 were probably S. E. of the Acropolis,
 near the Olympieum (Milchhöfer in
 Baumeister's *Denkm.* p. 179 f.).

μοιχὸν λαβὼν κτλ.] Dem. 23 § 55, ἂν
 τις ἐν ἄθλοις ἀποκτείνῃ τινά, ἂν ἐν πο-
 λέμῳ ἀγνοήσας, ἢ ἐπὶ δάμαρτι ἢ ἐπὶ μητρὶ ἢ
 θυγατρὶ, ἢ ἐπὶ παλλακίῃ ἢ ἂν ἐπ' ἐλευθέρους
 παῖσιν ἔχῃ. Cf. Lys. i § 31. Philippi,
 p. 55.

ἐπὶ Δελφινίῳ] Dem. 23 § 74, ἂν τις
 ὁμολογῇ μὲν κτείνειν ἐννόμως δὲ φῇ δεδρα-
 κέναι. Paus. i 28, 10, Pollux viii 119,
 ιδρῶσθαι ὑπὸ Αἰγέως λέγεται 'Απόλλωνι
 Δελφινίῳ.

ἐὰν δὲ φεύγων—τινα] Dem. 23 § 77,
 δικαστήριον τὸ ἐν Φρεατοῖ. ἐνταῦθα...
 κελεύει δικὰς ὑπέχειν ὁ νόμος, ἐὰν τις ἐπ'
 ἀκουσίῳ φόνῳ πεφευγώς, μήπω τῶν ἐκβαλ-

λόντων αὐτὸν ἡδεσμένων, αἰτίαν ἔχῃ ἐτέρου
 φόνου ἐκουσίῳ. Meier and Schöm. p.
 379 f.

ἐν Φρεάτου] l.c. § 78, ἐπὶ θαλάττῃ (near
 the harbour of Zea). Paus. i 28, 11, ἔστι
 δὲ τοῦ Πειραιῶς πρὸς θαλάττῃ Φρεατὺς.
 Philippi, *Areogr.* p. 48. There can be
 little doubt that the place derived its
 name from φρέαρ, and was so called long
 before the invention of the eponymous
 hero Φρέατος. Ulrichs puts it west of the
 entrance to the harbour of Zea, at a point
 where there is a very small bay with
 a landing-place to the S.W.; near the
 latter is an oval depression, resembling a
 slipper-bath, hewn out of the rocky shore,
 with a small round pit in front of it, both
 of them filled by a spring of fresh water,
 called τὸ Τζιρλονέρι (*Reisen*, ii 173).
 Milchhöfer, with perhaps more probability,
 prefers assigning it to the southern ex-
 tremity of the tongue of land east of Zea
 (Baumeister's *Denkmäler*, p. 1200 a).

ἐν πλοίῳ] Dem. 23 § 78, ὁ μὲν ἐν
 πλοίῳ προσπλεύσας λέγει, τῆς γῆς οὐχ
 ἀπτόμενος, οἱ δ' ἀκροῶνται καὶ δικάζουσιν
 ἐν τῇ γῇ. Paus. i 28, 11, οἱ πεφευγότες...
 πρὸς ἀκροωμένους ἐκ τῆς γῆς ἀπὸ νεὼς
 ἀπολογούνται. Harpocr. s. v. ἐν Φρεατοῖ
 (φρεάτου libri). Pollux viii 120, τὸν ἐν

24 δικάζουσι δ' οἱ λαχόντες τα[ῦτα ἐφέται], πλὴν τῶν ἐν Ἀρείῳ 4

24 τα[ῦτα ἐφέται] ex Harp. K, K-W: τα[ῦτα δικάσται] Paton (H-L, B); τα[ῦτα πάντα] Lipsius.

24 Harp. ἐφέται infra exscriptus.

αἰτία προσπλεύσαντα τῆς γῆς οὐ προσπατόμενον ἀπὸ τῆς νεῶς ἐχρῆν ἀπολογεῖσθαι, μὴτ' ἀποβάθραν μὴτ' ἀγκυραν εἰς τὴν γῆν βαλλόμενον. Helladius in Photius, *Bibl.* 535 a 28, ... ἐν Φρεατοῦ—(ὁ κρινόμενος) ἐπὶ νηὸς ἔξωθεν τοῦ Πειραιῶς ἀπολογούμενος ἀγκυραν καθίει. Bekker, *Anecd.* 311, 17, ἐν Ζεφ. τόπος ἐστὶ παράλιος. ἐνταῦθα κρίνεται ὁ ἐπὶ ἀκουσίῳ μὲν φόνῳ φεύγων, αἰτίαν δὲ ἔχων ἐφ' ἐκουσίῳ φόνῳ.—ἐν Φρεαττοῦ οἱ ἐπ' ἀκουσίῳ φόνῳ φεύγοντες, ἐπ' ἄλλῳ δὲ τιμὴ κρινόμενοι· οἱ ἐπὶ πλοῦι ἐστῶτες ἀπολογούνται.

ἐφέται Harpocr. s. v. οἱ δικάζοντες τὰς ἐφ' αἵματι κρίσεις ἐπὶ Παλλαδίῳ καὶ ἐπὶ Πρυτανείῳ καὶ ἐπὶ Δελφινίῳ καὶ ἐν Φρεαττοῦ (φρεάτους *libri*; Φρεατοῦ *Epitome*) ἐφέται ἐκαλοῦντο. It is agreed that Harpocr. derived his information from this treatise (Philippi, *Areopag.* p. 210), and this is the only passage where the term can be inserted.

The ἐφέται were 51 in number (law in Dem. *Macart.* 57); they were more than 50 years of age and were selected from noble families, ἀριστίνδην αἰρεθέντες (Pollux viii 125). The ἐφέται and the Areopagus were probably among the primitive institutions of Attica, being certainly earlier than Solon (Plut. *Sol.* 19) and perhaps earlier than Dracon. According to Lange, *die Ephelen*, the 51 ἐφέται and the 9 archons formed the pre-Solonian Areopagus. But (as has been shewn by Mr J. W. Headlam, *Class. Rev.* vi 249—252) all our evidence respecting the ἐφέται is derived from legal and judicial documents, and there is no proof that they ever held any constitutional position outside the law-courts. The ἐφέται are named in CIA i 61 (B.C. 409), in a quotation from a law of Dracon incorporated in those of Solon: ἐὰν μὴ ἔκ προνοίας κτ[εῖν]η τις τινα, φεύγειν. δικάζειν δὲ τοὺς βασιλεῖας αἰτίων φόνου ἢ [ἐάν τις αἰτιάται τὸν βουλευόμενον, τοὺς δὲ ἐφέτας διαγινώσκειν] (cf. Dem. *Macart.* 57 and *Aristocr.* 37). Solon reserved the φονικαὶ δίκαι for the Areopagus, leaving the ἐφέται to preside in the four courts held in the precincts of the Palladium, Delphinium and Prytaneum, and 'in Phreatto.'

One of Solon's laws quoted in Plutarch's *Solon* 19, runs as follows:—ἐπιτίμους εἶναι πλὴν ὅσοι ἐξ Ἀρείου πάγου

ἢ ὅσοι ἐκ τῶν ἐφετῶν ἢ ἐκ τοῦ πρυτανείου καταδικασθέντες ὑπὸ τῶν βασιλέων ἐπὶ φόνῳ ἢ σφαγαίῳ ἢ ἐπὶ τυραννίδι ἐφευγον. Here ἐπὶ φόνῳ refers to cases under the cognisance of the Areopagus, σφαγαίῳ to those under that of the ἐφέται, and ἐπὶ τυραννίδι to those under that of the court sitting in the Prytaneum to try offences against the Constitution. This law is incorporated in the decree of Patrocleides (Andoc. *de Myst.* 78) after the time of the 400, where we find excluded from the privilege of ἀδεια all the names ὅποια ἐν στήλαις γέγραπται τῶν μὴ ἐνθάδε μενάντων ἢ ἐξ Ἀρείου πάγου ἢ τῶν ἐφετῶν ἢ ἐκ πρυτανείου δικασθεῖσιν ὑπὸ τῶν βασιλέων ἐπὶ φόνῳ τίς ἐστι φυγὴ ἢ σφαγαίῳ ἢ τυραννίδι. (So Droysen and Lipsius. The mss., followed by Blass, have: ἢ ἐκ πρυτανείου ἢ Δελφινίου ἐδικάσθη ἢ ὑπὸ τῶν βασιλέων, ἢ ἐπὶ φόνῳ τίς ἐστι φυγὴ, ἢ θάνατος κατεγνώσθη, ἢ σφαγεῖσιν ἢ τυράννοις. But ἢ Δελφινίου must have been added by some one who confused the court for trial of Constitutional offences held in the Prytaneum, with that for trial of inanimate things held in its precincts; and, since the archon basileus presided in the Areopagus and Prytaneum, as well as in the four courts, the βασιλεῖς cannot be contrasted with these courts as is implied by ἢ.) In Dem. *Aristocr.* 38 it is stated that, in the event of a banished manslayer being killed, the ἐφέται were to have cognisance of the matter, διαγινώσκειν,—a term not necessarily implying that they acted as judges, but not inconsistent with it.

In Isocr. c. *Callim.* §§ 52, 54, a trial for homicide, held ἐπὶ Παλλαδίῳ, is stated to have come before a tribunal of 700 dicasts: (μάχης γενομένης) ἐκ τοῦ τραύματος φάσκοντες ἀποθάνειν τὴν ἀνθρωπὸν λαγχάνουσιν αὐτῷ φόνου δίκην ἐπὶ Παλλαδίῳ. Similarly in [Dem.] c. *Neaeram* § 10 a trial ἐπὶ Παλλαδίῳ came before 500 dicasts. Hence it has been inferred that the ἐφέται had been deprived of their jurisdiction in that court (Gilbert, i 360 n). The first speech of Lysias is connected with a case of justifiable homicide, but there is nothing to shew whether it was delivered before δικάσται (Schömann, Scheibe, Froberger, Blass, Philippi), or before ἐφέται (Forchhammer and others) in the court of

πάγῳ γυγνομένων· εἰσάγει δ' ὁ βασιλεὺς καὶ δικάζουσι[ν * ἐν
ἡλι]αι[α]* καὶ ὑπαίθριοι. καὶ ὁ βασιλεὺς ὅταν δικάζῃ περιαι-

25 [N]....αι[ο]ι K³: δικάζουσι σκοταῖοι olim conieci (H-L), coll. Luciani locis infra exscriptis. Ceterum σκοταῖοι cum litterarum evanidarum vestigiis non congruere nunc confiteor, et hac certe in clausula Areopagitarum iudicium excludi videtur. τριταῖοι Lipsius; cf. Schol. Aeschin. i § 188, τρεῖς που τοῦ μηνὸς ἡμέρας τὰς φονικὰς

§ 4, 26 Pollux viii 118 (*Αρειος πάγος): ὑπαίθριοι δ' ἐδίκασον.

26—27 Pollux viii 90: καὶ τὸν στέφανον ἀποθέμενος σὺν αὐτοῖς δικάζει.

τοῦ Δελφίνιον. The text implies that the ἐφέται had not lost the privilege of trying such cases; possibly they retained it only in a formal sense as a kind of presiding committee, while the actual voting was in the hands of the dicasts. This is consistent with the statement of Pollux viii 125, κατὰ μικρὸν δὲ κατεγελάσθη τὸ τῶν ἐφετῶν δικαστήριον.

δικάζουσι κτλ.] To restore the missing word is a difficult task. According to Lucian, one of the courts of homicide, that of the Areopagus, held its sittings during the night:—*Hermotimus* 64, 'Areopagitai ἐν νυκτὶ καὶ σκότῳ δικάζουσιν, and *de Domo*, 18, εἰ τις...ἐν νυκτὶ ὥσπερ ἡ ἐξ Ἀρείου πάγου βουλὴ ποιοῖτο τὴν ἀκρόασιν. This suggests the emendation σκοταῖοι, proposed by me in the *Academy*, Feb. 6, 1891, and accepted in the Dutch edition; but this proposal assumes either that the writer now reverts to the description of the procedure before the Areopagus, or that, if (as is more probable) he refers to all the courts of homicide, this particular detail in the trials before the Areopagus was also adopted in the three courts which have just been mentioned.

Again, if we refer to the account in Pollux viii 117, we find that the court of the Areopagus sat for three consecutive days before the last day in each month, τριῶν ἡμερῶν ἐδίκασον ἐφεξῆς, τετάρτη φθινοντος, τρίτη, δευτέρῃ (cf. Schol. Aeschin. i § 188). Then (after a sentence stating that the court of the Areopagus was composed of those who had been archons) he continues: ὑπαίθριοι δ' ἐδίκασον. This suggests τριταῖοι, which has independently occurred to Lipsius and Mr T. Nicklin: the sense would then be 'they give sentence on the third day'; but δικάζειν naturally means 'to try a cause' and not 'to pass a sentence,' ψηφίζεσθαι.

Both the above suggestions are open to the objection that they do not suit the faint traces still visible in the ms. These traces point to some word beginning with

αλ or ελ followed by something resembling ιη preceding the termination. Such a word is ἀλεινοί (from ἀλέα). Hdt. ii 25, ἀλεινῆς τῆς χώρας ἐούσης, opp. to ψυχρῶς Xen. Cyr. x 6; epithet of ἐσθῆς in Pol. ii 8, 1, ἐσθῆτος εὐτελοῦς μὲν ἀλεινῆς δὲ οὐκ ἐν τῷ χειμῶνι μόνον ἀλλὰ καὶ περὶ τοὺς θερινοὺς χρόνους. Cf. Hesych. ἀλεάζω (ἀλίζω Kuster)· ἀθροίζω. ἀλεάζω· δικάζόμενος, and ἡλιαία either from ἀλεάζεσθαι (ἀθροίζεσθαι) or from ὑπαίθριον εἶναι τὸν τόπον καὶ ἡλιοῦσθαι. This assumes that an epithet usually meaning 'lying open to the sun, warm, hot,' can here be applied to a tribunal holding its meetings in the sunlight, as well as in the open air. If so, the three courts are *contrasted* in this respect with the court of the Areopagus. But such an application of the epithet is quite unprecedented.

As a better alternative one might suggest ἐν ἡλιαία, [ἐνηλι]αι[α], which is found without the article in Arist. *Eg.* 897 ἐν ἡλιαία, Posidippus ap. Athen. 591 c εἰς ἡλιαίαν ἦλθε, and Diog. Laert. i 66. If this is right, the collocation of ὑπαίθριοι supports the view of those who connect ἡλιαία with ἥλιος: Et. Mag. s. v. 1: εἰς τὸ ὑπαίθριον προσκαθημένων τῶν δικαστῶν· ἢ παρὰ τὸ ὑπαίθριον· καὶ προϋποτίθεται ἥλιον εἶναι παρὰ τὸ ἡλιοῦσθαι τοὺς ἐκεῖ ἀθροιζομένους, and at end of art. 2: ἡλιαζεσθαι καὶ ἡλιασις ἐστὶ τὸ ἐν ἡλιαία δικάζειν (Welcker, *Gr. Götterlehre*, i 403, and Wilamowitz, *Aus Kydathen*, p. 90). The term ἡλιαία is indeed suggestive of a large body of δικασταί, and it is so explained by the grammarians. Harp. s.v. mentions 1500 or 1000; and Pollux, 500 (at least). Cf. Paus. i 28, 8, τὸ δὲ μέγιστον καὶ ἐς δὲ πλείστον συνίσσιν Ἡλιαίαν ἐκάλουν, where it is *contrasted* with the courts for the trial of homicide. But we know of trials ἐπὶ Παλλαδίῳ coming before 500 to 700 dicasts (p. 214 b); and such a tribunal may well be called 'a heliastic court.'

ὑπαίθριοι] Antiphon, *de caede Herodis*, 11, ἅπαντα τὰ δικαστήρια ἐν ὑπαίθρῳ δικάζει τὰς δίκας τοῦ φόνου.

ρεῖται τὸν στέφανον. ὁ δὲ τὴν αἰτίαν ἔχων τὸν μὲν ἄλλον χρόνον εἴργεται τῶν ἱερῶν, καὶ οὐδ' εἰς τὴν ἀγορὰν δ[ίκαιον ἐ]μβαλεῖν αὐτῷ· τότε δ' εἰς τὸ ἱερὸν εἰσελθὼν ἀπολογεῖται. ὅταν δὲ μὴ
 30 εἰδῇ τὸν ποιήσαντα, τῷ δράσαντι λαγχάνει. δικάζει δ' ὁ βασιλεὺς καὶ οἱ φυλοβασιλεῖς καὶ τὰς τῶν ἀφύχων καὶ τῶν ἄλλων ζῶων.

• δίκας ἐδίκασον. Sed exspectares potius τριῶν ἡμερῶν (Poll. viii 117) vel τρισὶν ἡμέραις, aut τετάρτῃ μηνί (Ant. *De Chor.* 42) vel denique ἐν μηνί τετάρτῃ (ΕΝΜΗΝΙΔ'). Litterarum secundam z vel ζ fuisse suspicantur κ-w, sed in papyro litterae neutrius appareret vestigium. ΔΛΙΗ vel ΕΛΙΗ aegre discerni posse putat G F Warner; post δικάζουσι[ν] litterarum vestigia evanida hanc fere speciem habere testatur Kenyon:—ΕΛΛΙΗ. ΔΙ. Ι. Ι. prima praesertim littera obscure scripta. Legendum fortasse ἐν ἡλιαία sc. [ΕΝ ΗΛΙ]ΔΙ[Δ]. 28 εἴργεται H-L. οὐδ' εἰς τὴν ἀγορὰν Wyse, Blass, van Leeuwen, Hartman, coll. Dem. 23 § 80 et 24 §§ 103, 165 (κ-w, H-L): οὐδεὶς τὴν αἰτίαν κ¹. δ[ίκαιον] van Leeuwen (κ³), vel potius ἐξεστίν (Wyse): δ[ύναται] κ¹; δ[έδοται] Gertz (κ-w, H-L, B). ΕΜΒΑΛΕΙΝ (κ, H-L, B): ἐμβάλλειν κ-w. 29 ΜΗ (κ, κ-w, B): μηδεὶς H-L, sed spatii non satis est. 30 εἰδῇ Wyse (κ-w, H-L, κ³, B). Post λαγχάνει 'interdicit fere ὁ προσήκων ἐπὶ πρυτανείῳ' κ-w. 31 ζῶων. Desiderantur οὗτοι δικάζουσι καὶ τὰ καταγνωσθέντα ὑπερορίζουσι, coll. Poll. viii 120, κ-w.

29—31 Pollux viii 120 infra exscriptus.

τὸν στέφανον] characteristic of the office of archon. Aeschin. I § 19, *ἀν τις Ἀθηναίων ἐταιρήσῃ, μὴ ἐξεστὼ αὐτῷ τῶν ἐννέα ἀρχόντων γενέσθαι, ὅτι οἶμαι στεφανηφόρος ἢ ἀρχή, ad loc.* οἱ γὰρ ἐννέα ἀρχόντες στέφανον ἐφόρου μυρρίνης, with Hesych. s. v. μυρρινῶν, and Pollux viii 86, μυρρίνη δ' ἐστεφάνωντο. Hence in Photius, s. v. ἡγεμονία δικαστηρίου *ad fin.*, (of the archon βασιλεὺς), *ἔχει δὲ μόνος καὶ στέφανον* should be corrected into *ἔχει δὲ μυρρίνης στέφανον*. Cf. Lys. 26 § 8 (of the archon), [Dem.] 58 § 27 (of the *θεσμοθέται*). Hermann, *Staatsalt.* § 124, 12.

εἴργεται] § 2.

οὐδ' εἰς τὴν ἀγορὰν κτλ.] Aeschin. I § 164, *ἐπειτα ἐμβάλλεις εἰς τὴν ἀγορὰν ἢ στεφανοὶ ἢ πράττεις τῶν αὐτῶν ἡμῶν; F. L.* 148, οὐ καθαρὸς ὢν τὰς χεῖρας εἰς τὴν ἀγορὰν ἐμβάλλεις. Lycurg. *Leocr.* 5, *εἰς τὴν ἀγορὰν ἐμβάλλοντα καὶ τῶν κοινῶν ἱερῶν μετέχοντα*. Dem. 24 c. *Timocr.* 103, *ἐὰν ἀλὺος τῆς κακώσεως τῶν γονέων εἰς τὴν ἀγορὰν ἐμβάλλῃ, and 165, εἰς τὴν ἀγορὰν φοβοῖτ' ἐμβαλεῖν, also ib. 60 and Androt. 77. ὅταν δὲ μὴ εἰδῇ κτλ.] [Dem.] 47 c. *Eueorg.* 69, *συμβουλευόμεν σοι... ὀνομαστὶ μὲν μηδεὶ προαγορεύειν, τοῖς δεδρακόσι δὲ καὶ κτεῖναισιν*. Plat. *Leg.* 874 A, *ἐὰν δὲ τεθνεὺς μὲν αὐτὸς φανῇ καὶ μὴ ἀμελῶς ζητοῦντος ἀνεύρετος γίγνηται, τὰς μὲν προρήσεις τὰς αὐτὰς γίγνεσθαι καθάπερ τοῖς ἄλλοις, προαγορεύειν δὲ τὸν φόνον τῷ δράσαντι καὶ ἐπιδικασάμενον ἐν ἀγορᾷ κηρύξαι τῷ κτεῖναι τὸν καὶ τὸν καὶ ὠφληκτόν φόνον μὴ ἐπιβαίνειν ἱερῶν* (Wyse). Pollux,*

viii 120, *τὸ ἐπὶ Πρυτανείῳ δικάζει περὶ τῶν ἀποκτεινάντων κἂν ὥσιν ἀφανεῖς*.

ὁ βασιλεὺς καὶ οἱ φυλοβασιλεῖς] Pollux, viii 90, says (of the βασιλεὺς), *δικάζει τὰς τῶν ἀφύχων δίκας*. In § 120 he says (of the φυλοβασιλεῖς), *προειστήκεσαν δὲ τούτου τοῦ δικαστηρίου φυλοβασιλεῖς, οὓς δεῖ τὸ ἐμπεσόν ἀψυχὸν ὑπερορίζαι*. These statements have hitherto been regarded as inconsistent with one another, and it has been supposed by Philippi, *Areogr.* p. 18, that the duty of the φυλοβασιλεῖς was simply to cast the condemned object beyond the bounds of Attica. The text shews both the statements are correct and that the βασιλεὺς and the φυλοβασιλεῖς jointly presided over this court.

The trial was held in the precincts of the Prytaneum. Dem. *Aristocr.* 76, *ἐὰν λίθος ἢ ξύλον ἢ σίδηρος ἢ τι τοιοῦτον ἐμπεσὼν πατάξῃ, καὶ τὸν μὲν βαλόντα ἀγνοῇ τις, αὐτὸ δὲ εἰδῇ καὶ ἔχη τὸ τὸν φόνον εἰργασμένον, τοῖτος ἐνταῦθα λαγχάνεται*. *εἰ τοῖνον τῶν ἀφύχων κτλ.* Pollux, viii 120, *τὸ ἐπὶ Πρυτανείῳ δικάζει... περὶ τῶν ἀφύχων τῶν ἐμπεσόντων καὶ ἀποκτεινάντων*. In the ceremony of the *βουφόνια*, the priest who slew the ox fled after flinging away the axe, *οἱ δὲ ἄτε τὸν ἀνδρα δς ἔδρασε τὸ ἔργον οὐκ εἰδότες ἐς δίκην ὑπάγουσι τὸν πέλεκυν* (Paus. i 24, 4, cf. 28, 11 and vi 11, 6).

καὶ τῶν ἄλλων ζῶων] Plat. *Gorg.* 473 C, *ὑπὸ τῶν πολιτῶν καὶ τῶν ἄλλων ξένων* (Kühner § 405 b n. 1).

The fact that animals could be tried has been hitherto unknown. But the

58. ὁ δὲ πολέμαρχος θύει μὲν θυσίας τὴν τε τῇ Ἀρτέμιδι τῇ ἀγροτέρᾳ καὶ τῷ Ἐνναλίῳ, διατίθῃσι δ' ἀγῶνα τὸν ἐπιτάφιον [[καὶ]] τοῖς τετελευτηκόσιν ἐν τῷ πολέμῳ, καὶ Ἀρμοδίῳ καὶ Ἀριστο-
2 γείτονι ἐναγίσματα ποιεῖ. δίκαι δὲ λαγχάνονται πρὸς αὐτὸν ἴδιαι μὲν, αἶ τε τοῖς μετοίκους καὶ τοῖς ἰσοτελέσι καὶ τοῖς προξένοις 5 γιγνόμεναι· καὶ δεῖ τοῦτον λαβόντα καὶ διανείμαντα δέκα μέρη, τὸ

LVIII 1 ΘΥΓΙΜΕΝ? (K³, K-W, B): ΠΟΙΕΙΤΑΙ? K¹ (H-L). τὴν τε τῇ: τῇ τε K-W. ΕΝΥΩ

2 ΕΝΥΑΛΙΩΙ ΕΝΥΑΛΙΩΙ? Ἐνναλίῳ K (K-W, B): Ἐνναλίῳ τὴν ἐνιαυσίαν H-L. 3 καὶ secl. K (H-L, B); retinetur K-W, commatis signo post ἐπιτάφιον, non post πολέμῳ posito. τῷ: τῷ Rutherford 'vix recte.' 5 Μ(ΕΝ) K, H-L, B: μόνον K-W. 6 ΓΙΝΟΜΕΝΑΙ (adscr. OIC).

TESTIMONIA. LVIII § 1 Heraclidis epitom. (Rose, Frag. 611, 8): καὶ τὰ πολέμα. Pollux viii 91: "ὁ δὲ πολέμαρχος θύει μὲν" Ἀρτέμιδι "ἀγροτέρᾳ καὶ τῷ Ἐνναλίῳ, διατίθῃσι" δὲ τὸν ἐπιτάφιον ἀγῶνα τῶν ἐν πολέμῳ ἀποθανόντων, καὶ τοῖς περὶ Ἀρμόδιον ἐναγίζει. (§ 2) δίκαι δὲ πρὸς αὐτὸν λαγχάνονται μετοίκων, ἰσοτελῶν, προξένων. καὶ διανέμει τὸ λαχὸν ἐκάστῃ φυλῇ τι (τὸ? Bekk.: sine dubio leg. τῇ φυλῇ) μέρος, τὸ μὲν διαιτηταῖς παραδιδούς, (§ 3) εἰσάγων δὲ δίκας ἀποστασίου, ἀπροστασίου, κλήρων

case is provided for in Plato's *Laus*, 873 E, ἐὰν δ' ἄρα ὑποζύγιον ἢ ζῶον ἄλλο τι φονεύσῃ τινά... ἐπεξίτωσαν μὲν οἱ προσήκοντες τοῦ φόνου τῷ κτείναντι, διαδικαζόντων δὲ τῶν ἀγρονόμων οἷσιν ἂν καὶ ὁπόσοις προστάξῃ ὁ προσήκων, τὸ δὲ ὅπλον ἐξω τῶν ὄρων τῆς χώρας ἀποκτείναντες διορίσαι. Then follows the case of things without life: ἐὰν δὲ ἄψυχόν τι κτλ.

LVIII. The Polemarch.

§ 1. πολέμαρχος] Hermann, *Staatsalt.* § 138, 8—10; Gilbert, i 242.

θύει.—Ἐνναλίῳ κτλ.] a survival of the duties performed in early times by the Polemarch in his military capacity. Ἀρτέμιδι] The sacrifice to Artemis was in memory of the battle of Marathon on the 6th day of Boedromion, Xen. *Anab.* iii 2, 12; Plut. *de malign. Her.* 26; Aelian, *V. H.* ii 25 (wrongly ascribed to the 6th of Thargelion); Schol. Aristoph. *Eg.* 660 (Hermann, *Gottesdienst. Alt.* § 56, 3 and 5; Mommsen, *Heortol.* p. 213).

ἀγῶνα τὸν ἐπιτάφιον] Plat. *Menex.* 249 B, ἀγῶνας γυμνικῶς καὶ ἱππικῶς—καὶ μουσικῆς πάσης, [Lys.] 2 § 80; Philostr. *Vit. Soph.* ii 30 *ad fin.* ἐν τῇ ἀκαδημίᾳ, οὗ τήθησι τὸν ἀγῶνα ἐπὶ τοῖς ἐκ τῶν πολέμων θαντομένοις ὁ πολέμαρχος. Cf. Suidas, s. v. Θεμιστοκλέους παῖδες. See Mommsen, *Heortologie*, p. 281, and Daremberg and Saglio, s. v. *Epitaphia*, iii 727, where this commemorative festival is connected with the Θησεῖα and assigned to the 7th of Pynepsion (end of October), cf. CIA ii 471, 22, ἐποίησαντο δὲ καὶ τοῖς ἐπιταφίοις

δρόμον ἐν ὅπλοις—καὶ ἀπεδείξαντο ἐν τοῖς ὅπλοις τοῖς τε Θησείοις καὶ ἐπιταφίοις. In this part of his duties the Polemarch was assisted by the στρατηγοί; Gilbert, *Beiträge*, p. 61.

ἐναγίσματα] ὡς ἡρωῖ. Cf. Paus. ii 11, 7 (of Achilles); and ii 10, 1 (of Heracles). The offerings consisted of libations of wine, oil, milk and honey. Hermann, *Gottesdienst. Alt.* § 16, 14; Müller's *Handbuch*, v 3 p. 98.

§ 2. δίκαι... ἴδιαι] Meier and Schömann, pp. 64—70, 619; Lys. 23 § 2, προσεκαλεσάμην αὐτὸν πρὸς τὸν πολέμαρχον νομίζων μέτοικον εἶναι.

προξένοις] the addition of ξένων, after προξένων, proposed by Meier in the corresponding passage of Pollux, is proved by the text to be unnecessary. ξένοι who were not resident in Attica, could only be concerned in δίκαι ἀπὸ συμβόλων or δίκαι ἐμπορικαί. By πρόξενον we must here understand the privileged class of foreigners presented by Athens with rights such as those of ἐγκλησις, ἀτέλεια and προεδρία.

The privilege of the Polemarch's protection is expressly granted to a πρόξενος in CIA ii 42, πρόσδοτον αὐτῷ εἶναι πρὸς τὸν πολέμαρχον καθάπερ τοῖς ἄλλοις πρόξενος. In 131, we also have the grant of ἀτέλεια καὶ γῆς καὶ οἰκίας ἐγκλησις. Meier and Schöm. p. 70 Lips.

λαβόντα] τὰς δίκας. διανείμαντα—μέρη] 21 § 4.

λαχὸν ἐκάστη τῇ φυλῇ μέρος προσθεῖναι, τοὺς δὲ τὴν φυλὴν δικάζοντας το[ῖς] δαιτηταῖς ἀποδοῦναι. αὐτὸς δ' εἰσάγει δίκας τὰς τε 3 [[τοῦ]] ἀ[ποστασίου] καὶ ἀπροστασί[ου] καὶ κλήρων καὶ ἐπικλήρων
10 τοῖς μετοίκους, καὶ τὰλλ' ὅσα τοῖς πολίταις ὁ ἄρχων, ταῦτα τοῖς μετοίκους ὁ πολέμαρχος.

59. οἱ δὲ θεσμοθέται πρῶτον μὲν τοῦ προγράψαι τὰ δικαστήριά εἰσι κύριοι, τίσιν ἡμέραις δεῖ δικάζειν, [ἐπ]ε[ιτα] τοῦ δοῦναι

7 μέρος secl. K-W.

9 τοῦ secl. K-W; habet Harp.

μετοίκων (Frag. 387², 426³). Bekk. *An.* 290, 28: “καὶ τῷ Ἐνναλίῳ διατίθῃσι” τὸν “ἀγῶνα τὸν ἐπιτάφιον.”

§ 3 *Harp. πολέμαρχος: ... Ἄρ. δ' ἐν τῇ Ἀθ. πολ. διεξελθὼν ὅσα διοικεῖ ὁ πολέμαρχος, πρὸς ταῦτα, φησὶν, αὐτὸς τε “εἰσάγει δίκας τὰς τε τοῦ ἀποστασίου καὶ ἀπροστασίου καὶ κλήρων—ταῦτα τοῖς μετοίκους ὁ πολέμαρχος.” *Harp. ἀποστασίον: ... Ἄρ. δ' ἐν Ἀθ. πολ. περὶ τοῦ πολέμαρχου γράφει ταυτί. “οὗτος δὲ εἰσάγει δίκας τὰς τε τοῦ ἀποστασίου καὶ κλήρων καὶ ἐπικλήρων.” Bekk. *An.* 310, 9: ὁ πολέμαρχος (εἰσάγει δίκας) ἀποστασίον “καὶ κλήρων καὶ ἐπικλήρων τοῖς μετοίκους” καὶ τὰλλα ὅσα τοῖς” ἀστοῖς ὁ ἄρχων, οὗτος τοῖς μετοίκους παρέχεται (Frag. 388², 427³). Phot. ἡγεμονία δικαστηρίου: ... τῷ πολέμαρχῳ δὲ ὅσα ἀποστασίον γράφῃν ἔφερον* ἔτι μὴν καὶ ὅσα ὁ ἄρχων ἐν τοῖς ἀστοῖς, ὁ πολέμαρχος τοῖς μετοίκους διήτα.

TESTIMONIA. LIX Pollux viii 87: § 1 ἰδίᾳ δὲ οἱ μὲν θεσμοθέται προγράφουσι πότε δεῖ δικάζειν τὰ δικαστήρια, (§ 2) καὶ “τὰς εἰσαγγελίας εἰσαγγέλλουσιν εἰς τὸν δῆμον καὶ τὰς” χειροτονίας “καὶ τὰς προβολὰς” εἰσάγουσι καὶ τὰς τῶν παρανόμων γραφάς, καὶ εἰ τις μὴ ἐπιτήδειον νόμον γράψειν, “καὶ στρατηγοῖς εὐθύνας” (cf. Schol. Aeschin. i § 1, p. 253 Schultz, ἡ δὲ εὐθυνα—οἷον πρεσβείαν, στρατηγίαν κτλ.).

*Harp. θεσμοθέται: ... ὁ δὲ Ἄρ. ἐν τῇ (α addit codex Angelicanus) Ἀθ. πολ. διέρχεται ὅσα οὗτοι πράττουσιν. Phot. θεσμ.: ... τὰς εἰσαγγελίας εἰσαγγέλλων εἰς τὸν δῆμον καὶ τὰς χειροτονίας καὶ τὰς προβολὰς ἀπάσας καὶ γραφὰς παρανόμων... Schol. in Plat. *Phaedr.* 235 D εἶχον δὲ ἐξουσίαν τοῦ υπογράψαι τὰ δικαστήρια, καὶ τὰς εἰσαγγελίας εἰσῆγον καὶ τὰς χειροτονίας καὶ προβολὰς καὶ γραφὰς παρανόμων καὶ ἄλλων τινῶν. Cf. Schol. in Aeschin. i § 16 in p. 219 a exscriptum.

τοὺς τὴν φυλὴν δικάζοντας] i.e. the four *δικασταί* assigned to each tribe, who introduce private actions concerning members of that tribe. As resident aliens are not members of any tribe, the lawsuits in which they are concerned are distributed by lot among the ten groups of four *δικασταί* each. This shews that *μέτοικοι* were in no way enrolled in any particular deme, as once suggested by Wilamowitz, *Hermes*, xxii 211. Cf. 53 § 1.

The quotation of this passage in Pollux is unintelligible, and none of the various corrections (enumerated in Hubert *de Arbitris Atticis*, p. 29 f.) are satisfactory (Lipsius, *Leipzig Verhandl.*, p. 55).

§ 3. ἀποστασίον καὶ ἀπροστασίον] The former designation was applied to the case in which a *μέτοικος* deserted (or acted without the sanction of) the *προστάτης* under whom he had been enrolled; the latter, to that in which he had no *προστάτης*. Dem. 35 *Lacr.* 48, ἀλλ' ὁ

πολέμαρχος εἰσάξει. ἀποστασίον γε καὶ ἀπροστασίον.

On the *δίκη ἀποστασίου*, see Meier and Schöm. p. 619—623 Lips.; on the *γραφὴ ἀπροστασίου*, *ib.* p. 388—391.

κλήρων καὶ ἐπικλήρων τοῖς μετοίκους] [Dem.] 46 § 22, ἐπιδικασίαι εἶναι τῶν ἐπικλήρων ἀπάσων καὶ ξένων καὶ ἀστῶν καὶ περὶ μὲν τῶν πολιτῶν τὸν ἄρχοντα εἰσάγειν καὶ ἐπιμελεῖσθαι, περὶ δὲ τῶν μετοίκων τὸν πολέμαρχον. Pollux, viii 91, has *κλήρων μετοίκων*, corrected by Meier into *κλήρων ἐπικλήρων μετοίκους* (or *μετοικικῶν*). The general purport of this correction is confirmed by the text.

LIX. *The Thesmothetae.*

§ 1. θεσμοθέται] Meier and Schöm. p. 72—81 Lips.; Gilbert, i 243; and Dict. Ant. s. v. *Archon*.

τίσιν ἡμέραις δεῖ δικάζειν] e.g. Dem. c. *Mid.* 47 (of a *γραφὴ ὕβρεως*), οἱ δὲ θεσμοθέται εἰσαγρόντων εἰς τὴν ἡλιαίαν τριάκοντα ἡμερῶν κτλ. (Meier and Schöm., p. 906 Lips.).

ταῖς ἀρχαῖς· καθ' ὅ τι γὰρ ἂν οὗτοι δώσιν, κατὰ τοῦτο χρώνται.
 2 ἔτι δὲ τὰς εἰσαγγελίας εἰσαγγέλλουσιν εἰς τὸν δῆμον, καὶ τὰς κατα-
 χειροτονίας καὶ τὰς προβολὰς ἀπάσα[ς] εἰσάγουσιν οὐ[τοι], καὶ 5
 γραφὰς παρανόμων, καὶ νόμον μὴ ἐπιτήδειον θεῖναι, καὶ προεδρικὴν

LIX 4 εἰσαγγέλλουσιν εἰς τὸν δῆμον secl. K-W; retinent K, H-L, B; εἰσαγγέλλουσιν defendunt Pollux et Photius: εἰσάγουσιν Schol. ad Plat. *Phaedr.* 235 et ad Aesch. i 16 (Gomperz). 6 <τοῦ> νόμον J B Mayor (H-L).

§ 2. εἰσαγγελίας] The statement of Pollux, viii 37, that it was the θεσμοθέται who laid εἰσαγγέλλαι before the popular assembly was doubted by Boeckh (*Kleine Schriften*, v p. 163); but it is now clear that the ultimate authority for the statement was the present passage. Cf. Schol. Aeschin. i § 16, οἱ θεσμοθέται ἄλλα μὲν ποιοῦσι κοινῇ, ἰδίᾳ δέ, πότε δὲ δικάζειν τὰ δικαστήρια καὶ τὰς εἰσαγγελίας εἰσάγειν εἰς τὸν δῆμον, καὶ τὰς χειροτονίας καὶ τὰς προβολὰς εἰσάγουσι καὶ τὰς τῶν παρανόμων γραφὰς καὶ ἕτερα.

καταχειροτονίας] they bring forward all cases of 'removal from office by the votes of the people.' In Dem. c. *Mid.* 6, the noun is applied to the preliminary vote of condemnation called προβολή: καταχειροτονίαν ὁ δῆμος ἐποίησας, and similarly with the verb in §§ 2, 199 and twice in § 175. In 51 § 8, in a speech before the βουλὴ, it is applied to a case of προδοσία: παρεδώκατε εἰς τὸ δικαστήριον, καταχειροτονήσαντες προδεδωκέναι τὰς ναῦς καὶ λελοπέναι τὴν τάξιν. In the text the reference is to sentences passed by the ἐκκλησία on the occasion of an εἰσαγγελία, and then referred to a court of law (Lipsius, *Leipzig Verhandl.* p. 48).

προβολὰς] c. 43 § 5. Preliminary decisions of the ἐκκλησία directing public prosecutions to be instituted, Dem. c. *Mid.* §§ 9, 11. Isocr. 15 § 314, προβολὰς ἐν τῷ δήμῳ ἐποίησαν.

προβολαὶ were only resorted to in case of offences against religion (Dem. c. *Mid.*), complaints against magistrates (Harpocr. s. v. καταχειροτονία), and against σκοφάνται (43 § 5). Meier and Schömann, p. 335—344 Lips. The supposition that προβολαὶ could only be brought against magistrates at the ἐπιχειροτονία (Schömann, *de Comit.* p. 231 f.) is founded on passages of grammarians connecting προβολαὶ with καταχειροτονία, and this supposed connexion may have originated in a misunderstanding of the present passage. The statement that the ἡγεμονία δικαστηρίου belonged to the θεσμοθέται is confirmed by Dem. c. *Mid.* 32, τῶν θεσμοθετῶν τούτων.

γραφὰς παρανόμων] c. 29 § 4, Hyperides, *pro Euxenippo*, c. 21, 27, παράνομα τις ἐν τῇ πόλει γράφει; θεσμοθετῶν συνέδριον ἔστι. Dem. *Lept.* 98, 99.

νόμον μὴ ἐπιτήδειον θεῖναι] It has sometimes been supposed that a γραφή παρανόμων could be directed against ψήφισματα, as well as against νόμοι, on the ground of *inexpediency*, as well as on that of *illegality*.

This opinion rests on passages such as (1) the spurious law quoted in Dem. c. *Timocr.* 33, ἐάν δέ τις λύσας τινὰ τῶν νόμων τῶν κειμένων ἕτερον ἀντιθῇ μὴ ἐπιτήδειον τῷ δήμῳ τῷ Ἀθηναίων ἢ ἐναντίον τῶν κειμένων τῷ, τὰς γραφὰς εἶναι κατ' αὐτοῦ κατὰ τὸν νόμον δς κεῖται, ἐάν τις μὴ ἐπιτήδειον θῇ νόμον. (Here *inexpediency* and contradictory laws are confusedly blended together.) (2) Pollux viii 56, ὑπωμοσία δέ ἐστιν, ὅταν τις ἢ ψήφισμα ἢ νόμον γραφέντα γράφῃται ὡς ἀνεπιτήδειον, and 44 (in a γραφή παρανόμων) διήλεγχεν ὅτι ἐστι παράνομον ἢ ἀδικον ἢ ἀσύμφορον.

It was urged by Madvig (*Kleine Schriften*, p. 378 ff.) that, in the case of νόμοι, no less than in that of ψήφισματα, the argument from *inexpediency* was really irrelevant, the only legitimate ground of attack in both cases being that of *illegality*. This opinion has, however, been contested by Schöll (*Sitzungsber. d. k. b. Akad.*, München, 1886, p. 136). Relying partly on the passage in Pollux viii 87, which proves to be quoted from the text (see *Testimonia*), he contends that, under a γραφή παρανόμων, a ψήφισμα could only be impugned on the ground of *illegality*, whereas a νόμος might be formally attacked on the ground of *inexpediency*, as well as on that of *illegality* (Dem. c. *Timocr.* 61, 68, 108). Cf. Gilbert, i 284, n. 1; Meier and Schömann, p. 431 Lips.; Dict. Ant. ii 340 a.

Lipsius, who formerly supported Madvig, now holds that the text confirms Schöll's view (*Leipzig Verhandl.* p. 48). But it will be observed that in the text the reference to *inexpediency* laws is introduced by καί, which (unless it is merely *expegetic*) makes the following clause an additional item in the enumeration.

καὶ ἐπιστατικὴν καὶ στρατηγοῖς εὐθύνας. εἰσὶ δὲ καὶ γραφαὶ 3
8 πρὸς αὐτοὺς ὧν παράστασις τίθεται, ξενίας καὶ δωροξενίας, ἃν τις
δῶρα δοὺς ἀποφύγῃ τὴν ξενίαν, καὶ συκοφαντίας καὶ δώρων καὶ

8 'ξενίας μὲν, εἴαν τις κατηγορῇται ξένος εἶναι, δωροξενίας δὲ lex. Cant.—ἄν τις—ξενίαν
glossa?' K-W. 9 τὴν ξενίας Meier, *Att. Pro.* p. 73, H-L.

§ 3 *Harp. παράστασις... 'Ἀρ. δ' ἐν 'Αθ. πολ. περὶ θεσμοθετῶν λέγων φησὶν οὕτως
"εἰσὶ δὲ γραφαὶ—τὴν ξενίαν," "καὶ ψευδεγγραφῆς—μοιχείας." *Harp. δωροξενία:... καὶ
'Ἀρ. δ' ἐν τῇ 'Αθ. πολ. περὶ τῶν θεσμοθετῶν λέγων γράφει ταυτὶ "εἰσὶ δὲ καὶ γραφαὶ—
ἀποφύγῃ τὴν" συκοφαντίαν ('ex sequentibus errore arripit pro ξενίαν' Rose).
*Lex. rhet. Cantab. ξενίας γραφὴ καὶ δωροξενίας διαφέρει. 'Ἀρ. ἐν τῇ 'Αθ. πολ. φησὶ περὶ
τῶν θεσμοθετῶν διαλεγόμενος "εἰσὶ δὲ καὶ γραφαὶ πρὸς (περὶ cod.) αὐτοὺς ὧν παράστασις
(περιστάσεις cod.) τίθεται, ξενίας καὶ δωροξενίας." ξενίας μὲν εἴαν τις κατηγορῇται ξένος
εἶναι, δωροξενίας δὲ "εἴαν τις δῶρα δοὺς ἀποφύγῃ τὴν ξενίαν." Pollux viii 44: δωροξενίας
δὲ εἰ τις ξενίας κρινόμενος δῶρα δοὺς ἀποφύγει (Hesych. δωροξενία· τὸ ἐπὶ ξενίαν
καλοῦμενον ἀποφυγεῖν δῶρα δόντα). Harp. ἡγεμονία δικαστηρίου:... πρὸς δὲ τοὺς θεσ-
μοθέτας αἱ τῆς ξενίας τε καὶ δωροξενίας (ἐλαγχάνοντο δίκαι) καὶ συκοφαντίας καὶ δώρων
καὶ ψευδεγγραφῆς καὶ ὕβρεως καὶ μοιχείας καὶ βουλευσεως καὶ ἄλλων. Bekk. *An.* 310,
12: οἱ θεσμ. εἰσήγον ξενίας καὶ συκοφαντίας καὶ δώρων καὶ ψευδεγγραφῆς καὶ ὕβρεως
καὶ μοιχείας καὶ βουλευσεως. Phot. ἡγεμ. δικαστ.:... οἱ θεσμ. συκοφαντίας καὶ δώρων καὶ
ὕβρεως καὶ μοιχείας καὶ βουλευσεως (cf. *Frag.* 379², 418³). Pollux viii 87: γίνονται δὲ
γραφαὶ πρὸς αὐτοὺς ξενίας, δωροξενίας, δώρων, συκοφαντίας, ψευδοκλητίας, ψευδεγγρα-
φῆς, βουλευσεως, ἀγραφίου, μοιχείας. Cf. etiam Bekk. *An.* 238, 24 δωροξενία; 240,
33 δωροξενίας δίκη.

This fact is in favour of a separation of legal proceedings on the ground of inexpediency from the strict procedure of the γραφὴ παρανόμων. We may accordingly suppose that the γραφὴ παρανόμων was originally intended to be directed against ψηφίσματα, as well as νόμοι, on the sole ground of illegality; and that, subsequently, fresh powers were granted for the institution of formal proceedings against νόμοι alone, on the sole ground of inexpediency. This new kind of procedure is the subject of the additional clause καὶ νόμον μὴ ἐπιτήδειον θείναι.

προεδρικῇ] the later form of the γραφὴ πρυτανικῇ which is mentioned together with the γρ. ἐπιστατικῇ by Harpocr. *s. v.* ῥητορικῇ γραφῇ.—ἡ κατὰ ῥήτορος γράψαντος τι ἢ εἰπόντος ἢ πράξαντος παράνομον, ὥσπερ λέγεται καὶ πρυτανικῇ ἡ κατὰ πρυτάνεως, καὶ ἐπιστατικῇ ἡ κατ' ἐπιστάτου. Cf. c. 44.

στρατηγοῖς εὐθύνας] *Lys.* 9 § 11; 14 § 38; [Dem.] 49 § 25. Generals might even be called back to give account before the expiration of their office (*Lys.* 28 § 5). Meier and Schöm. p. 263 Lips.; Gilbert, *Beiträge*, pp. 26—28; Schöll, *de Synegoris*, pp. 12, 14; Wilamowitz, *Aus Kydathen*, p. 62; Hauvette-Besnault, *les Stratèges Ath.* pp. 56—63.

§ 3. γραφαί] Meier and Schöm. p. 437 ff. Lips.

παράστασις] the fee (probably a

drachm) paid to the state by the prosecutor in certain public causes. The present passage (as quoted by Harpocr. *s. v.*) has been the authority for the causes in which it was paid; but the list is probably not exhaustive. The fee was *noi* paid in an εἰσαγγελία κακώσεως ἐπικλήρων (Isae. 3 *Pyrrh.* 45). Meier and Schöm. pp. 799 f., 813—4 Lips.

ξενίας] a prosecution for usurping the rights of citizenship. Meier and Schöm. pp. 437—442 and 95—98, Lips.; Dict. *Ant. s. v.*

The *Lex. Rhet. Cant.* adds the needed explanation: εἴαν τις κατηγορῇται ξένος εἶναι.

δωροξενίας] If a person tried on the charge of ξενία was 'acquitted by fraudulent collusion with the prosecutor or witnesses, or by any species of bribery, he was liable to be indicted afresh by a γρ. δωροξενίας' (Dict. *Ant. s. v.*; Meier and Schöm. p. 441 Lips.).

συκοφαντίας καὶ δώρων] omitted by Harpocr. and the *Lex. Rhet. Cant.* in their list of causes in which παράστασις was paid. Lipsius (*Att. Proc.* p. 73) was led to propose the addition of these causes by Bekker's *Anecd.* p. 310, 14, where συκοφαντίας, δώρων, ὕβρεως are inserted. On the γρ. συκοφαντίας, see Meier and Schöm. p. 413 Lips.; on the γρ. δώρων, p. 444.

ψευδεγγραφῆς καὶ ψευδοκλητείας καὶ βουλεύσεως καὶ ἀγραφίου ¹⁰
 4 καὶ μοιχείας. εἰσάγουσιν δὲ καὶ τὰς δοκιμασί[α]ς ταῖς ἀρχαῖς
 ἀπάσαις, καὶ τοὺς ἀπεψηφισμένους ὑπὸ τῶν δημοτῶν, καὶ τὰς
 5 καταγνώσεις [τ]ὰς ἐκ τῆς βουλῆς. εἰσάγουσι δὲ καὶ δίκας ἰδίας,
 ἐμπορικὰς καὶ μεταλλικὰς καὶ δούλων, ἃν τις τὸν ἐλεύθερον κακῶς
 λέγῃ. καὶ ἐπικληροῦσι ταῖς ἀρχαῖς οὗτοι τὰ δικαστήρια τὰ ἴδια ¹⁵
 6 καὶ τὰ δημόσια. καὶ τὰ σύμβολα τὰ πρὸς τὰς πόλεις οὗτοι κυροῦσι,

11 καὶ ὕβρεως ante καὶ μοιχείας ins. Harp. s.v. ἡγεμονία δικαστηρίου (cf. Bekk. An., Phot.); non inserit Harp. s.v. παράστασις. εἰσάγουσι H-L. 14 ἐάν H-L.
 15—16 καὶ ἐπικληροῦσι—δημόσια secl. K-W; defendit Pollux viii 87. 15 ΟΥΤΟΙΤΑ (K-W, K³, B): πάντα K¹, πάντα τὰ H-L. 16 ΚΥΡΟΥΣΙ (K, K-W, B); idem habet Pollux: <κατα>κυροῦσι Wyse (H-L).

§§ 4—6 Pollux viii 87: (§ 4) εἰσάγουσι δὲ καὶ δοκιμασίαν ταῖς ἀρχαῖς, καὶ τοὺς ἀπεψηφισμένους, καὶ τὰς ἐκ τῆς βουλῆς καταγνώσεις. (§ 5) καὶ δίκας ἐμπορικὰς καὶ μεταλλικὰς, καὶ ἐάν δούλος κακῶς ἀγορεύῃ τὸν ἐλεύθερον, καὶ ταῖς ἀρχαῖς ἐπικληροῦσι τὰ δικαστήρια τὰ ἴδια καὶ τὰ δημόσια. (§ 6) καὶ τὰ σύμβολα τὰ πρὸς πόλεις κυροῦσι, καὶ δίκας τὰς ἀπὸ συμβόλων εἰσάγουσι καὶ τὰς τῶν ψευδομαρτυριῶν τῶν ἐξ Ἀρείου πάγου.

ψευδεγγραφῆς] a prosecution against a public officer for making a false entry in the list of debtors to the state. Meier and Schöm. p. 415 Lips.; Dict. Ant. s. v. ψευδοκλητείας] a prosecution for falsely appearing as witness to a summons. Meier and Schöm. p. 414 Lips., and Dict. Ant. s. v.

βουλεύσεως] a prosecution instituted by one who was wrongfully inscribed as a state debtor against one who had so inscribed him. The distinction between this kind of γρ. βουλεύσεως and the cognate γρ. ψευδεγγραφῆς is stated as follows by Boeckh, p. 390 Lewis: 'whoever falsely declared that another had been registered was liable to the action for false registration (ψευδεγγραφῆς). If, on the other hand, a man who had been a state debtor had paid all that was due, but his name was not erased, or, having been erased, was re-entered, the action for conspiracy applied (βουλεύσεως).' Meier and Schöm. p. 415 Lips.; Dict. Ant. i p. 314 a.

ἀγραφίου] a prosecution for non-registration of a name in the list of state debtors, instituted in the event of the name being improperly erased before the debt was paid. This action might be brought either against the person whose name was improperly erased, or against the officer who omitted to register the debt. If the name of a debtor had not been registered at all, he could only be proceeded against by ἐνδείξις, and was not liable to the ἀγραφίου γραφή (Dem. c.

Theocrin. 67), Meier and Schöm. p. 447—9 Lips.; and Dict. Ant. s. v.

μοιχείας] Meier and Schöm. p. 402—9 Lips.; Dict. Ant. i 29 b.

§ 4. δοκιμασίας] § 5 §§ 2—4. Gilbert, i 210.

ἀπεψηφισμένους κτλ.] Those whose claims to citizenship were rejected at the διαψήφισις, held by the members of the deme, might appeal to a law-court. 13 § 5; 42 § 1; Meier and Schöm. p. 989 f. Lips.

καταγνώσεις] 45 § 1, τὰς καταγνώσεις εἰσάγειν τοὺς θεσμοθέτας εἰς τὸ δικαστήριον.

§ 5. ἐμπορικὰς] commercial law-suits heard during the winter, when the sea was closed to mercantile enterprise. These, as well as the μεταλλικαὶ δίκαι, belonged to the class of ἔμμηνοι δίκαι, which were decided within a month. Meier and Sch., p. 635 Lips.; Dict. Ant. i p. 730 a.

μεταλλικὰς] mining suits, Dem. Pant. 35. Boeckh, On the Silver Mines of Laurium, § 12; Meier and Sch., p. 634 Lips.

δούλων] It was only in the event of a δίκη κακῆγορίας being brought by a free-man against a slave that the θεσμοθέται presided over the court. In other cases, it came before the Forty. Meier and Sch., pp. 80, 628 Lips.

ἐπικληροῦσι—δικαστήρια] CIA ii 567 b (in a decree in honour of a θεσμοθέτης) ἐπιμελεῖται δὲ καὶ τῆς κληρώσεως τῶν δικαστηρίων. Meier and Sch., p. 160 Lips.

§ 6. τὰ σύμβολα τὰ πρὸς τὰς πόλεις]

καὶ τὰς δίκας τὰς ἀπὸ τῶν συμβόλων εἰσάγουσι, καὶ τὰ ψευδομαρ-
τύρια <τὰ> ἐ[ξ] Ἀρείου πάγου. τοὺς δὲ δικαστὰς κληροῦσι 7
πάντες οἱ ἐννέα ἄρχοντες, δέκατος δ' ὁ γραμματεὺς ὁ τῶν θεσμοθε-
20 τῶν, τοὺς τῆς αὐτοῦ φυλῆς ἕκαστος.

60. τὰ μὲν οὖν περὶ τοὺς ἐννέα ἄρχοντας τοῦτον ἔχει τὸν
τρόπον. κληροῦσι δὲ καὶ ἀθλοθέτας δέκα [ἄ]νδρας, ἓνα τῆς
φυλῆς ἑκάστης. οὗτοι δὲ δοκιμασθέντες ἄρχουσι τέτταρα[α εἴ]τη,

17 τὰ ψ. tac mutatum in ταψ. 18 <τὰ> Bernardakis, K-W, H-L, B coll. Poll.
τὰς τῶν ψ. τῶν K-W. 18—20 τοὺς δὲ—ἕκαστος secl. K-W, cf. 63 § 1; defendit
Schol. Arist. *Vesp.* 775. 19 ΠΑΝΤΑΣ K-W: πάντες corr. K, H-L, B.

17 *Bekk. *An.* 436 ἀπὸ συμβόλων δικάζει infra exscriptum (Frag. 380², 419³); cf.
Harp. infra laudatum.

18—20 Schol. Ar. *Vesp.* 775: θεσμοθεταὶ καὶ δέκατος ὁ γραμματεὺς κληροῦσι τοὺς
δικαστὰς τοὺς τῆς αὐτῆς φυλῆς ἕκαστος.

TESTIMONIA. LX § 1 Pollux viii 93: ἀθλοθέται δέκα μὲν εἰσιν, εἰς κατὰ φυλὴν,
δοκιμασθέντες δὲ ἄρχουσιν ἑτη τέτταρα ἐπὶ τῷ διαθεῖναι τὰ Παναθηναία, τὸν τε μουσικὸν
<add. ἀγῶνα> “καὶ τὸν γυμνικόν” “καὶ τὴν ἵπποδρομίαν.” *ib.* 87 (οἱ ἐννέα
ἄρχοντες...ἐχουσιν ἐξουσίαν) κληροῦν δικαστὰς καὶ ἀθλοθέτας, ἓνα κατὰ φυλὴν ἑκάστην.

‘international contracts.’ Such agree-
ments were finally ratified by a heliastic
court. In [Dem.] 7 § 9, Philip claims
that they shall be ratified οὐκ ἐπειδὴν ἐν
τῷ δικαστηρίῳ τῷ παρ’ ὑμῖν κυρωθῇ ὥσπερ ὁ
νόμος κελεύει. Cf. [Andoc.] in *Alcib.* 18.
They secured to the citizens of the con-
tracting states the reciprocal right of suing
and being sued; *Pol.* 1275 a 8, (among
those who are not citizens are) οἱ τῶν
δικαίων μετέχοντες οὕτως ὥστε καὶ δίκην
ὑπέχουν καὶ δικάζεσθαι· τοῦτο γὰρ ὑπάρχει
καὶ τοῖς ἀπὸ συμβόλων κοινωνοῦσι. The
decision was given in the court of the
defendant’s city, and in accordance with
laws agreed upon in the σύμβολα.

τὰς δίκας τὰς ἀπὸ τῶν συμβόλων]
These were mainly commercial suits; but
while, in the ordinary δίκαι ἐμπορικαί, the
suit was tried in the state where the con-
tract was made, and in accordance with
the laws of that state; in the δίκαι ἀπὸ
συμβόλων, it was tried in the defend-
ant’s state and in accordance with the
laws agreed upon in the σύμβολα. Thus,
on the reduction of Chalcis in B.C. 446/5,
the inhabitants retained their own ju-
risdiction except in the case of offences
punishable by disfranchisement, exile, or
death. These were to be sent to Athens
for trial: περὶ δὲ τούτων ἔφεσιν εἶναι Ἀθή-
ναζε εἰς τὴν ἡλιαίαν τῶν θεσμοθετῶν.

In Bekker’s *Anecd.* i 436 we read:
Ἀθηναῖοι ἀπὸ συμβόλων ἐδίκαζον τοῖς ὑπη-
κόοις· οὕτως Ἀριστοτέλης, and similarly
(so far as regards the first statement)

Hesych. s. v. ἀπὸ συμβόλων δικάζειν;
but it will be observed that the text says
nothing of ὑπήκοοι. Cf. Pollux viii 63,
ἀπὸ συμβόλων δέ, ὅτε οἱ σύμμαχοι ἐδικά-
ζοντο. Harpocr. σύμβολα: τὰς συνθήκας
αἱ αἱ πόλεις ἀλλήλαις θέμεναι τάττωι
τοῖς πολίταις ὥστε διδόναι καὶ λαμβάνειν
τὰ δίκαια, and similarly Phot. and Etym.
M. On this subject cf. Meier and Schödm.
pp. 994—1006 Lips.; Goodwin in *Ameri-
can Journal of Philology*, i 1880, p. 1—16;
Ditt. Ant. ii 734—6.

τὰ ψευδομαρτύρια] this form has hith-
erto been found only in Plat. *Theaet.* 148 B,
ἐνοχος τοῖς ψευδομαρτυρίοις. In the case
of δίκαι ψευδομαρτυριῶν in general, the
management of the suit was in the hands
of the same authorities as the trial at
which the alleged false witness was ten-
dered: it was only in the event of false
witness before the Areopagus, that the
case came under the cognisance of the
θεσμοθέται. Meier and Schödm. p. 485 f.

§ 7. τοὺς δὲ δικαστὰς κληροῦσι] 63 § 1.
Meier and Sch., p. 160 Lips.

ὁ γραμματεὺς] 55 § 1; 63 § 1.

LX. *The Athlothetae.*

§ 1. ἀθλοθέτας] The lists of payments
from the treasures of Athena for public
purposes include the following items:
CIA i 183 (Hicks, no. 53), 7 (in the British
Museum), ἀθλοθέταις ἐς Παναθηναία, in B.C.
415, 9 talents; *ib.* 188 (Ditt. no. 44), 5
(in the Louvre), ἀθλοθέταις ἐς Παναθηναία
τὰ μεγάλα, in B.C. 410, 5 talents, 1000
drachmae.

καὶ διοικοῦσι τὴν τε πομπὴν τῶν Παναθηναίων καὶ τὸν ἀγῶνα τῆς μουσικῆς καὶ τὸν γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν, καὶ τὸν 5 πέπλον ποιοῦνται, καὶ τοὺς ἀμφορεῖς ποιοῦνται μετὰ τῆς βουλῆς, 2 καὶ τὸ ἔλαιον τοῖς ἀθληταῖς ἀποδιδόασιν. συλλέγεται δὲ τὸ ἔλαιον

LX 6 ἀμφορεῖς ποιοῦνται (K): ἀμφορεῖς Gennadios, (K-W, H-L); ποιοῦνται retinet B, commatis signo post prius ποιοῦνται addito, et coll. c. 49 § 3. 7 ἔλε-
γεται τοῖς ἔλαιον: συλλέγεται δὲ τὸ ἔλαιον Gennadios, Richards, Gertz, H-L,
K-W¹, K³, B; τὸ δ' ἔλαιον συλλέγεται R D Hicks (K-W²).

§ 2 *Schol. Soph. O. C. 701: ὁ δὲ Ἄρ. καὶ τοῖς νικήσασιν τὰ Παναθηναῖα ἔλαιον τοῦ ἐκ τῶν μοριῶν γινομένου δίδοσθαι φησιν. Cf. Phot. s.v. μορία (Frag. 345², 383³). Schol. Arist. *Nub.* 1005.

πομπὴν τῶν Παναθηναίων] Thuc. vi 56—58. Michaelis, *Parthenon*, p. 327.

τὸν ἀγῶνα τῆς μουσικῆς] Plut. *Per.* 13, φιλοτιμούμενος δ' ὁ Περικλῆς τότε πρῶτον ἐψηφισατο μουσικῆς ἀγῶνα τοῖς Παναθηναίοις ἀγεσθαι καὶ διέταξεν αὐτὸς ἀθλοθέτης αἰρεθείς, καθότι χρή τοὺς ἀγωνιζομένους αὐλεῖν ἢ ᾄδειν ἢ κιθαρίζειν. Phrynis of Mytilene won the prize with the *kythara* in B.C. 456. The prizes for *kytharodoi* were a crown, together with 500, 300, 200, or 100 *dr.* (schol., Arist. *An.* 11); and for the *ἄνδρες αὐλωδοί*, a crown and 100 *dr.* This competition is mentioned in Plut. ii 1134 A, *de Musica*, 8, ἐν ἀρχῇ γὰρ ἐλεγεία μεμελοποιημένα οἱ αὐλωδοὶ ᾄδον· τοῦτο δὲ δηλοῖ ἡ τῶν Παναθηναίων γραφὴ ἡ περὶ τοῦ μουσικοῦ ἀγῶνος. The prize for the *ἄνδρες κιθαρισταί* was a crown, or 200 or 100 *dr.*; there was also a prize for the *αὐληταί*, probably a crown (Michaelis, *Parthenon*, p. 322). A crown won at a μουσικὸς ἀγῶν is represented in an inscr. published in *Ἐφημ.* Ἄρχ. 1862, 219 (copied *ib.* p. 318).

γυμνικὸν ἀγῶνα] mentioned in documents quoted in Dem. 18 § 116 and Hipocrates iii 830 Kühn, also in CIA ii 331, 177 (c. B.C. 270), Παναθηναίων τῶν μεγάλων τῷ γυμνικῷ ἀγῶνι. The contests included running, wrestling, boxing, and the *πένταθλον* and *παγκράτιον* (Michaelis, *l. c.* p. 323).

ἵπποδρομίαν] The horse-races were held at Echelidae (τόπος Ἀθήνησι σταδίων ὀκτώ, ἐν ᾧ αἱ ἵπποδρομαί, Etym. M.). The race is mentioned in Xen. *Symp.* i 2. Cf. Athen. p. 168, νικήσαντος ἵπποις Παναθηναῖα (cf. Michaelis, pp. 324—5).

πέπλον] 49 § 3. Schol. Arist. *An.* 826, τῇ Ἀθηνᾷ πολιάδι οὖση πέπλος ἐγίνετο παμποίκιλος, ὃν ἀνέφερεν ἐν τῇ πομπῇ τῶν Παναθηναίων. Among the mythological subjects represented on it was the battle of Athens with the Giants. Michaelis, *l. c.* p. 328.

ἀμφορεῖς] In the athletic contests the prize was a garland from the sacred olive-trees, together with a vase filled with oil from the same. Pindar's ornate description of the prizes is well known: *Nem.* x 62—66, ἀδεία γέ μὲν ἀμβολάδαν ἐν τελεταῖς δις Ἀθαναίων μιν ὀμφαί κώμασαν· γαῖα δὲ καυθεῖσα πυρὶ καρπὸς ἐλαίας ἔμολεν· Ἦρας τὸν εὐάνορα λαὸν ἐν ἀγγέων ἔρκεσιν παμποίκιλος (with Schol.). Cf. Simonides in Anth. Pal. xiii 19, 3, καὶ Παναθηναίους στεφάνους λάβε πέντ' ἐπ' ἀέθλοις ἐξῆς (*i.e.* in the Pentathlon) ἀμφορεῖς <τ'> ἐλαίον.

Many of the Panathenaic vases have been found in Italy, Sicily, Greece, and at Cyrene. They have the figure of Athens on one side, and a representation of the contest for which they were awarded on the other. The earliest Panathenaic vase, now extant, known as the "Burgon Vase" in the British Museum (Vase Room II B 1), is ascribed to the 6th century B.C., and there are 14 others in the same room; in Room IV there are 10 of the 4th century, to which the majority of such vases belong, varying in date from 368 to 313 B.C. One of those in the Museum, bearing the inscr. τῶν Ἀθήνηθεν ἄθλων, belongs to B.C. 328, about the date when the text was written. Many of these vases are reproduced in colours in *Monumenti dell' Inst. Arch.* x; and single vases in Birch's *Ancient Pottery*, p. 430, Duruy, *Histoire des Grecs*, i 762, and Murray's *Handbook of Gk. Archaeology*, p. 104.—A Panathenaic amphora, with a spray of olive rising out of it and with three crowns beside it, may be seen on a table in front of a gnarled olive-tree, represented in relief on the outer side of several marble stalls found at Athens (see cut in Michaelis, *Parthenon*, p. 29).

§ 2. ἔλαιον—μοριῶν κτλ.] Arist. *Nub.* 1005, ἀλλ' εἰς Ἀκαδημειαν κατιῶν ὑπὸ ταῖς μορίαῖς ἀποθρέξει, and Schol. *περὶ αὐτὸν δ'*

[ἀ]πὸ τῶν μοριῶν· εἰσπράττει δὲ τοὺς τὰ χωρία κекτημένους ἐν οἷς αἱ μορίαὶ εἰσὶν ὁ ἄρχων, τρί' ἡμικοτύλια ἀπὸ τοῦ στελέχους
 10 ἐκάστου. πρότερον δ' ἐπώλει τὸν καρπὸν ἢ πόλιν· καὶ εἴ τις ἐξο-
 ρύξειεν ἐλαίαν μορίαν ἢ κατὰξειεν, ἔκρινεν ἢ ἐξ Ἀρείου πάγου
 βουλή, καὶ εἴ του καταγοίη, θανάτῳ τοῦτον ἐξημίουν. ἐξ οὗ δὲ τὸ
 ἔλαιον ὁ τὸ χωρίον κекτημένος ἀποτίνει, ὁ μὲν νόμος ἐστίν, ἡ δὲ [Col. 3
 κρίσις καταλέλυται. τὸ δ' ἔλ[αιον] ἐκ τοῦ κτήματος, οὐκ ἀπὸ τῶν
 15 στελεχῶν, ἐστὶ τῇ πόλει. συλλέξας οὖν ὁ ἄρχων τὸ ἐφ' ἑαυ[τοῦ] 3
 γιγνόμενον, τοῖς ταμίαις παρ[αδίδ]ωσιν εἰς ἀκρόπολιν, καὶ οὐκ
 ἔστιν ἀναβῆναι πρότερον εἰς [Ἀρε]ιον πάγον πρὶν ἂν ἅπαν παραδῶ
 τοῖς ταμίαις. οἱ δὲ ταμίαι τὸν μὲν ἄλλον χρόνον τηροῦσιν ἐν ἀκρο-

9 ΤΡΙ ΗΜΙΚΟΤΥΛΙΑ (B); τρία ἡμ- K, H-L; τριημικοτύλιον K-W. 11 ἐλαίαν del. Rutherford, ἐλαάν (deleto μορίαν) H-L. ἐλαίαν (K, K-W); ἐλάαν B; ἐλαία habet Soph. O. C. 701; ἐλάα Aristophanes, cf. Eustathium p. 84, 9 τὴν ἐλαίαν ἐλαάν ἀπτι- κῶς; formam utramque defendunt tituli (Meisterhans, p. 242). 12 ΤΟΥ (H-L, K³, B), omiserat K¹; [μὲν?] K-W. 14 <τὸ> ἐκ τοῦ H-L. ΔΠΟ (correctum in εκ) ΤΟΥ ΚΤΗΜΑΤΟΣ (K-W, B); ΚΛΗΜΑΤΟΣ legerat K (H-L). 16 ΓΙΓΝ (edd.).

ἦσαν αἱ ὄντως ἱεραὶ ἐλαῖαι τῆς θεοῦ, αἱ κα-
 λοῦνται μορία· ἐξ ὧν τὸ ἔλαιον τῶν Πανα-
 θηναίων. Lucian, *Anach.* 9; Schol. Plat.
Paen. 127 A; Suidas s. v. μορία (Mi-
 chaelis, *Parthenon*, p. 322).

εἰσπράττει—κεκτημένους κτλ.] Schol.
 Arist. *Nub.* 1005, ὑπὸ ταῖς μορίαις: διὰ τὸ
 πάντα ἀνθρώπων κекτημένον ἐλαίας ἀναγ-
 κάζεσθαι μέρος τι παρέχειν εἰς τὰ Παναθήναια
 κτλ.

τρί' ἡμικοτύλια.] $\frac{3}{4}$ pint; the κοτύλη
 being about $\frac{1}{2}$ pint.

πρότερον δ' ἐπώλει τὸν καρπὸν ἢ πόλιν]
 Lysias 7 *de Olea Sacra* § 2, τοὺς ἐωνη-
 μένους τοὺς καρποὺς τῶν μοριῶν. The
 speech is not earlier than B.C. 395 (Blass,
Att. Ber. i² p. 591): thus πρότερον here
 refers to a time not earlier than the arch-
 onship of Euclides.

εἴ τις ἐξορύξειεν—βουλή] Lys. Or. 7 is
 addressed to the Areopagus, who (besides
 attending to the sacred olives every month)
 sent overseers (γνώμονας) to examine them
 every year (§ 25). In § 7 the speaker states
 the charge on which he is being tried:
 τὴν δὲ <μῖαν> μορίαν, ἣν οὐχ οἶόν τ' ἦν
 λαθεῖν ἐξορύξαντα, ὥς ἀφανίζων νυνὶ κρι-
 νομαι.

θανάτῳ] The terms used in Lys. 7 § 3,
 περὶ πατρίδος καὶ περὶ τῆς οὐσίας ἀγωνί-
 σασθαι, and § 41, πατρίδος—στερηθεῖς,
 imply that the penalty at that time was
 (as in other cases of ἀσέβεια) banish-
 ment with confiscation of property. This
 shews that, even before the time when
 the state, instead of selling the olives,

exactd from the tenant the delivery of a
 certain quantity of oil, the capital penalty
 had already become obsolete.

κτλήματος] The delivery of the oil has
 now become a regular tax on the *pro-
 perty*, i. e. either on the χωρίον or on the
 store of oil manufactured by the pro-
 prietor. The alternative reading κλήματος
 draws a distinction between the 'fresh
 shoots' (Xen. *Oec.* 19, 8, τὸν βλαστὸν τοῦ
 κλήματος), and the trunk of the tree, im-
 plying that the state insists that the oil
 supplied to it shall be from the former.
 But this proviso, even if intelligible in
 theory, would be difficult to insist upon in
 practice. Besides στελέχος is the ordinary
 term applied to the tree as a whole.

στελεχῶν] Dem. 43 *Macart.* 69, ταύτας
 (τὰς ἐλάας) ἐξώρυττον καὶ ἐξεπρέμνιζον,
 πλεῖν ἢ χίλια στελέχη, ὅθεν ἔλαιον πολὺ
 ἐγίγνετο. Hdt. viii 55, βλαστὸν ἐκ τοῦ
 στελέχεος.

§ 3, ἐφ' ἑαυτοῦ] 'in his own year of
 office.'

ταμίαις] 4 § 2; 7 § 3; 8 § 1; and esp.
 30 § 2 and 47 § 1.

οὐκ ἔστιν ἀναβῆναι κτλ.] the archon
 could not take his place among the mem-
 bers of the Areopagus at the close of his
 year of office until he had handed over
 to the treasurers (of Athens) the full
 amount of olive-oil due for the year. For
 ἀναβῆναι cf. [Dem.] c. *Neaer.* 80, ἐγένετο
 τὰ ἱερὰ ταῦτα καὶ ἀνέβησαν εἰς Ἀρείον
 πάγον οἱ ἐννέα ἄρχοντες ταῖς καθηκούσας
 ἡμέραις.

πόλει, τοῖς δὲ Παναθηναίοις ἀπομετροῦσι τοῖς ἀθλοθέταις, οἱ δ' ἀθλοθέται τοῖς νικῶσι τῶν ἀγωνιστῶν. ἔστι γὰρ ἄθλα τοῖς μὲν ²⁰ τὴν μουσικὴν νικῶσιν ἀργύρια καὶ χρυσία, τοῖς δὲ τὴν εὐανδρίαν ἀσπίδες, τοῖς δὲ τὸν γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν ἔλαιον. — — —

61. χειροτονοῦσι δὲ καὶ τὰς πρὸς τὸν πόλεμον ἀρχὰς ἀπάσας, στρατηγούς δέκα, πρότερον μὲν ἀφ' <ἐκάστης τῆς> φυλῆς ἓνα,

21 ἀργυρία καὶ χρυσία (κ¹): ἀργύρια καὶ χρυσία (H-L, K³, B); ἀργύριον καὶ χρυσᾶ (K-W), ἀργυρᾶ καὶ χρυσᾶ (Rutherford). 23 'interciderunt magistratus creati in quadriennium, cf. cap. 18' K-W; idem coniecerat Weil; c. 43 § 1 et c. 61 § 1 (χειροτ. δὲ καὶ) confert B, qui addit tamen nihil amplius Polluci notum fuisse.

LXI 2 Δ(Ε)Κ(ΔΙ) Κ¹: δέκα, Richards, Gertz, K-W, H-L, B, K³. ἐκάστης add. K (K-W, H-L); ἐκάστης τῆς B.

TESTIMONIA. LXI Pollux viii 87 (οἱ ἐννέα ἄρχοντες... ἔχουσιν ἐξουσίαν), (§ 1) στρατηγούς χειροτονεῖν ἐξ ἀπάντων, (§ 2) καὶ καθ' ἐκάστην πρυτανείαν ἐπερωτᾶν εἰ δοκεῖ καλῶς ἄρχειν ἕκαστος (τὸν δ' ἀποχειροτονηθέντα κρίνουσιν), (§ 4) καὶ ἱππάρχους δύο, (§ 5) καὶ φυλάρχους δέκα, (§ 3) καὶ ταξιάρχους δέκα.

2 *Harp. στρατηγοί... οἱ καθ' ἕκαστον ἐνιαυτὸν χειροτονοῦμενοι στρατηγοὶ δέκα ἦσαν, ὡς μαθεῖν ἔστιν ἐκ τε τῶν Ὑπερίδου κατ' Αὐτοκλέους καὶ ἐκ τῆς Ἀθ. πολ. Ἀριστοτέλους (Frag. 390², 430³).

τὴν μουσικὴν νικῶσιν ἀργύρια καὶ χρυσία] The prizes recorded in inscriptions are crowns and sums of money varying from 100 to 500 dr. (Dittenberger, no. 395: Michaelis, *Parthenon*, p. 322). ἀργύρια, in pl. of 'sums of money,' Arist. *Av.* 600.

εὐανδρία] This contest is mentioned in Andoc. 4 § 42, νευικῶς εὐανδρία, Xen. *Mem.* iii 3, 12, Athen. 565 F; also in Harpocr. s. v. and Bekker's *Anec.* p. 257, 13. Cf. Thumser, *de Civium Ath. Muneribus*, pp. 81, 97—9. ἀσπίδες] In the early part of the fourth century the prize was an ox; CIA ii 965 (Ditt. 395, 75), εὐανδρίαί φυλῆι νικῶσει βοῦς. We do not know the date when the ox was superseded by the portable prize mentioned in the text. The 'shields' are not named elsewhere.

γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν] In the above inscr. ll. 23—70 we have the record of the number of ἀμφορῆς ἐλαίου awarded (1) to the boys, and (2) to the youths, who were victorious in running, wrestling, boxing, or in the pentathlon or pancratium; and (3) to the victors in the horse-races. The part enumerating the prizes given to the men is lost.

LXI. Officials elected by open voting (*Military Officers*).

§ 1. χειροτονοῦσι—τὰς πρὸς τὸν πόλεμον ἀρχὰς] 43 § 1 *ad fin.*

ἀφ' ἐκάστης—φυλῆς ἓνα] This was the case on the occasion when Cimon and his

colleagues were called upon to act as judges in the dramatic contest of B.C. 468, when Sophocles gained the prize against Aeschylus: Plut. *Cimon* 8, describes the generals as δέκα ὄντας, ἀπὸ φυλῆς μᾶς ἕκαστον. At some later date, which is not specified, the generals were chosen out of all the citizens (ἐξ ἀπάντων) without distinction of tribe.

It was held by Schömann (*Ant.* p. 420), Boeckh (on *Antig.* 190, and *CIG* pp. 294, 906), Sauppe and others, that the generals were elected by the several tribes alone. A. Schaefer (*Dem.* ii 182) held that they were elected ἐξ ἀπάντων (as attested by Pollux). The view that in earlier times the generals were elected κατὰ φυλὴν, and afterwards ἐξ ἀπάντων, was held by Bergk, Lugebil, Müller-Strübing and others (see Gilbert, i 220, and *Beiträge*, pp. 16—20). This is proved by the text to be right.

Gilbert (*Beiträge*, pp. 21—23) accepts the narrative in Plutarch's *Cimon*, but does not admit that on that occasion the 10 generals belonged to the 10 different tribes, although this is the obvious meaning, as in the phrase in Pollux viii 94, οἱ φύλαρχοι δέκα, εἰς ἀπὸ φυλῆς μᾶς ἕκαστος. In 440/39 two of the 10 generals, Pericles and Glaucôn (FHG iv 645), belonged to the same tribe, Acamantis; this is our earliest evidence for a departure from the older system; possibly the change was due to a desire to elect the ablest men,

νῦν δ' ἐξ ἀπάντων· καὶ τούτους διατάττουσι τῇ χειροτονίᾳ, ἕνα μὲν ἐπὶ τοὺς ὀπλίτας, ὃς ἡγεῖται τῶν ὀπλιτῶν, ἂν ἐξίωσι, ἕνα δ' ἐπὶ τὴν χώραν, ὃς φυλάττει, καὶ πόλεμος ἐν τῇ χώρᾳ γίγνηται, πολεμεῖ οὗτος· δύο δ' ἐπὶ τὸν Πειραιέα, τὸν μὲν εἰς τὴν Μουνιχίαν, τὸν δ'

4 O...T(ΩΝ) ὀπλιτῶν H-L (K³, B): Δ(?)...T(ΩΝ) π[ολι]τῶν K-W; δ[ημο]τῶν K¹.
ἐὰν H-L. 5 ΓΙΝ (K-W). ΠΟΛΕΜΕΙ: ἡγέται K-W. 6 ΠΕΙΡΑΙΕΑ (K, K-W,
B): Πειραιᾶ H-L. ΜΟΥΝΥΧ.

such as Pericles, independently of the tribe to which they belonged. But, even after the change, nearly all the tribes were in practice represented on the board. Thus in B.C. 433/2 out of seven generals, six belonged to different tribes; in 424/3, out of six whose demes are known, five; in 418/7, all the six whose demes are given; in 417/6, all the five; and in 357/6, six out of the seven. There is no example of more than one tribe being represented by two στρατηγοὶ in the same year (Hauvette-Besnault, *Les Stratèges Athéniens*, pp. 24—29).

διατάττουσι. The fact that about this time the duties of the στρατηγοὶ were distributed over several members of the board was already known. The five officers charged with specific duties had already been identified, but it was not known that there were only five. The date of this change was supposed to fall between 334 and 325. In 334 B.C. (CIA ii 804 A 63) the στρατηγοὶ are still acting as a body in reference to the *συμμορίαί*, whereas in 325/4 we hear of a στρατηγὸς ἐπὶ τὰς *συμμορίας*. Cf. Hauvette-Besnault, *Les Stratèges Ath.*, pp. 159 ff. (Gilbert, i 220, and Busolt in Müller's *Handbuch*, iv i 162). The latest date actually mentioned in this treatise is B.C. 329; but it does not follow that the change in question took place earlier than that date, as the treatise may have been written in any year between B.C. 329 and 325.

ἐπὶ τοὺς ὀπλίτας. In Lys. 32 § 5 we have what at first sight appears to be a mention of this officer: *χρόνῳ δὲ ὕστερον καταλεγείς Διόδοτος μετὰ Θρασύλλου τοῦ ἐπὶ τῶν ὀπλιτῶν* (B.C. 410); and we know that Thrasyllus was elected a στρατηγὸς in the spring of 411 (Thuc. viii 76) and held office for 410/9 (*ib.* 104); but the words τοῦ ἐπὶ are omitted in two MSS, *Florentinus* and *Ambrosianus*, and the construction is parallel to *καταλεγείς τριηράρχων* in Isaeus, *de Apoll. her.* 5.

The decrees in the *De Corona* mention ὁ ἐπὶ τῶν ὀπλων στρατηγὸς (§ 38), τὸν ἐπὶ τῶν ὀπλων (115) and ὁ ἐπὶ τῶν ὀπλιτῶν

(116), but these are forgeries of a later date (Hauvette-Besnault, p. 160 f).

In CIA ii 302 (c. 294/3 B.C.) Philippides is described as [χειροτονη]θεῖς [στρατ]ηγός [ἐ]πὶ τοῖς ὀπλίταις ὑπὸ τοῦ δήμου. In ii 331 the career of Phaedrus is described: in 296/5 he was twice elected στρατηγὸς ἐπὶ τὴν παρασκευήν, and was often elected *στρ. ἐπὶ τὴν χώραν* and thrice ἐπὶ τοὺς ξένους. It was probably after 272 B.C. that he was elected ἐπὶ τὰ ὅπλα στρατηγός and was afterwards χειροτονηθεῖς ἐπὶ τὰ ὅπλα πρώτος ὑπὸ τοῦ δήμου στρατηγός. After the end of the fourth century this στρατηγός was the foremost member of the board. Ultimately in the theatre of Dionysus the only stall reserved for any of the στρατηγοὶ was inscribed with the title of στρατηγοῦ ἐπὶ τὰ ὅπλα.—The *στρ. ἐπὶ τοὺς ὀπλίτας* probably acted as president of the στρατηγοὶ (cf. Gilbert, i 222).

ἐπὶ τὴν χώραν. Plut. *Phocion*, 32, *Δερκύλλου τοῦ ἐπὶ τῆς χώρας στρατηγοῦ* (B.C. 317). CIA ii 331 (quoted above), and 1195 (towards the end of the 3rd cent.).

φυλάττει. The φυλακὴ τῆς χώρας involved placing patrols at important points in the interior and along the coast; Thuc. ii 24, *φυλακὰς κατεστήσαντο κατὰ γῆν καὶ κατὰ θάλασσαν*. In Xen. *Mem.* iii 6, 10, *περὶ φυλακῆς τῆς χώρας*, mention is made of *φυλακαὶ* and *φρουροί*. In B.C. 445 this φυλακὴ extended as far as Euboea; CIA iv 27 a, *περὶ δὲ φυλακῆς Εὐβοίας τοὺς στρατηγούς ἐπιμελεῖσθαι κτλ.* In B.C. 342, [Dem.] 7 §§ 14, 15, it has expanded into a τῆς κατὰ θάλατταν φυλακῆς in a still wider sense. About B.C. 265, CIA 334, we find a decree in honour of those who *ἐπέδωκαν εἰς τὴν σωτηρίαν τῆς πόλεως καὶ τὴν φυλακὴν τῆς χώρας*. In the time of the text this duty, which had once been shared by all the στρατηγοὶ, was apparently divided between the στρατηγὸς ἐπὶ τὴν χώραν for the interior, and the two στρατηγοὶ ἐπὶ τὸν Πειραιέα for the coast,—assuming that φυλακῆς is the right reading in the passage referring to the latter.

ἐπὶ τὸν Πειραιέα. In B.C. 324/3, CIA ii 811 c 434, *Δικαιογένης ὁ στρατηγός* is

εἰς τὴν Ἀκτὴν, οἱ τῆς φ[υ]λακῆς ἐπιμελοῦνται καὶ τῶν ἐν Πειραιεὶ·
 ἓνα δ' ἐπὶ τὰς συμ[μο]ρίας, ὃς τοὺς τε τριηράρχους καταλέγει καὶ
 τὰς ἀντιδόσεις αὐτοῖς ποιεῖ, καὶ τὰς διαδικασίας α[ὐτ]οῖς εἰσάγει.
 2 τοὺς δ' ἄλλους πρὸς τὰ παρόντα πράγματα ἐκπέμπουσιν. ἐπιχει- 10

7 ΦΛΗC: Φ[υ]λῆς (vel φυλακῆς) K¹, φυλακῆς K-W et B deleto καὶ (φυλῆς et φυλα-
 κῆς Thucydidis in codicibus saepe confusa esse monet Wardale, *Class. Rev.* v 273).
 χηλῆς Torr (H-L, K³). [[καὶ] K-W (B), fortasse recte. 9 alterum αὐτοῖς secl.
 K-W². 10 πράγματα supra scriptum delent H-L.

8—9 Phot. ἡγεμ. δικ.: τῷ στρατηγῷ περὶ τριηραρχίας καὶ ἀντιδόσεων.

mentioned in the same context as the overseer of the νεώρια. Between B.C. 318 and 229 the Peiraeus and Salamis were under an officer called the στρατηγὸς ἐπὶ τοῦ Πειραιεύς καὶ τῶν ἄλλων τῶν ταπτομένων μετὰ τοῦ Πειραιεύς (*Bull. Corr. Hellén.* vi 526). About 100 B.C. we read of three στρατηγοὶ ἐπὶ τὸν Πειραιᾶ (CIA ii 1207), and the archon of B.C. 97/6 is described as Ἀργεῖος Ἀργεῖον Τρικο[ρύ-
 σιος] στρατηγῆσας ἐπὶ τὸν Πειραιᾶ, *ib.* 1206.

εἰς τὴν Μουνιχίαν] In B.C. 325/4 we find Philocles mentioned by Dinarchus, 3 § 1, as στρατηγὸς ὑφ' ἑμῶν ἐπὶ τὴν Μουνιχίαν καὶ τὰ νεώρια κεχειροτονημένος. On Munichia, cf. 19 § 2; 42 § 3.

εἰς τὴν Ἀκτὴν] possibly identical with the officer called the στρατηγὸς ἐπὶ τὴν χώραν τὴν παραλλαν in CIA ii 3, 1194 (the son of an official of B.C. 382/1), and 1195 (B.C. 241). The latter inscr. was found at Sunium. On Ἀκτὴ cf. 42 § 3.

φυλακῆς] sc. τῆς χώρας τῆς παραλλας, the rest of the φυλακῆ being assigned to the στρ. ἐπὶ τὴν χώραν.

ἐπὶ τὰς συμμορίας] B.C. 325/4, CIA ii 809 a 205—210, ὅπως δ' ἂν αἱ σκῆψεις εἰσαχθῶσι, τοὺς θεσμοθέτας παρα[πλ]ηρώσαι δικαστήρια εἰς ἓνα καὶ διακοσίους τῷ στρατηγῷ τῷ ἐπὶ τὰς συμμορίας ἡρημένῳ. The σκῆψεις mentioned in this inscr., and in c. 56 § 3, are the pleas put forward by one who maintains that another is better able to bear the expense of a trierarchy and who therefore challenges him either to undertake it or to exchange properties. It may also refer to any plea of exemption. It is used elsewhere (CIA ii 804) of the reasons pleaded by a trierarch for being unable to restore to the state the vessel confided to his care (Hauvette-Besnault, p. 143). For the relations of the board of στρατηγοὶ to the συμμορίαὶ and the τριηραρχία before the distribution of offices among the members of the board, cf. Dem. 39 § 8, τίνα δ' οἱ στρατηγοὶ τρόπον ἐγγράφουσιν, ἂν εἰς συμμορίαν ἐγγράφωσιν, ἢ ἂν τριηραρχον καθιστώσιν, and

35 § 48, (οἱ στρατηγοὶ) τριηράρχους καθιστάσιν.

ἀντιδόσεις—ποιεῖ] [Dem.] 42 § 5, (on the 2nd of Metageitnion, August) ἐποιοῦν οἱ στρατηγοὶ τοῖς τριακοσίοις τὰς ἀντιδόσεις. Suid. s.v. ἡγεμονία δικαστηρίου.

διαδικασίας] e.g. [Xen.] *de Rep. Ath.* 3, 4, διαδικάζειν, εἰ τις τὴν ναῦν μὴ ἐπισκενάζει. CIA ii 795 f 39, τριῆρεις αἱ ἐπὶ Διοτίμου ἀρχοντος (B.C. 354/3) διεδικάσθησαν καὶ ἐδοσαν κατὰ χεῖμῶνα διαφθάρηναι, *ib.* l. 60, ἀριθμὸς τριήρων καὶ σκευῶν τῶν διαδεδικασμένων. Boeckh, *Seeurkundent.* p. 214; Meier and Schömm. pp. 467 f. In [Dem.] 47 § 26 (B.C. 339) we read of the ἀποστολεῖς and the νεωρίων ἐπιμεληταί, that these were the officials who εἰσῆγον τότε (c. B.C. 344) τὰς διαδικασίας περὶ τῶν σκευῶν. Cf. Meier and Schömm. p. 475.

τοὺς δ' ἄλλους] This shews that the above list of special posts is complete by the time when the treatise was written.

In the spurious decrees quoted in Dem. *de Cor.* §§ 38, 115 an officer called ὁ ἐπὶ τῆς διοικήσεως is mentioned (in the former decree immediately after ὁ ἐπὶ τῶν ὅπλων στρατηγός, in the latter after τὸν ἐπὶ τῶν ὅπλων). It was once supposed that this was the title of one of the στρατηγοί, but it is now agreed that this was not the case (Boeckh, note 322 Fränkel; Schömann, p. 421 n. 3). Again, in CIA ii 331 Thymochares, the father of Phaedrus (who held office between B.C. 296 and 272) was χειροτονηθεὶς στρατηγὸς ὑπὸ τοῦ δήμου ἐπὶ τὸ ναυτικόν. In the same inscr. Phaedrus is described as στρατηγὸς ἐπὶ τὴν παρασκευὴν and ἐπὶ τοὺς ξένους. The στρ. ὁ ἐπὶ τὴν παρασκευὴν is mentioned in CIA ii 403—405 in connexion with melting down the τύποι dedicated to the ἥρωας λατρός (2nd century B.C.); also *ib.* 839. The decree in Pseudo-Plutarch ii p. 852 describes Lycurgus as χειροτονηθεὶς ἐπὶ τῆς τοῦ πολέμου παρασκευῆς, but this does not prove that he was a στρατηγός; and, in any case, these last titles belong to a later date than the text.

§ 2. ἐπιχειροτονία] 43 § 4, at the κυρία

ροτονία δ' α[ύ]των ἐστὶ κατὰ τὴν πρυτανείαν ἐκάστην, εἰ δοκοῦσιν καλῶς ἄρχειν· κἄν τινα ἀποχειροτονη[ή]σωσιν, κρίνουσιν ἐν τῷ δικαστηρίῳ, κἄν μὲν ἀλφ, τιμῶσιν ὃ τι χρή παθεῖν ἢ ἀποτ[είσ]αι, ἂν δ' ἀποφύγη, [π]άλ[ιν] ἄρχει. κύριοι δὲ εἰσιν, ὅταν ἡγῶνται, καὶ
15 δῆσαι τιν' ἀτακτοῦντα καὶ <ἐκ>[κη]ρῦξαι καὶ ἐπιβολὴν ἐπιβάλλειν· οὐκ εἰώθασιν δὲ ἐπιβάλλειν.

χειροτονοῦσι δὲ καὶ ταξιάρχους δέκα, ἕνα τῆς φυλῆς ἐκάστης· 3 οὗτος δ' ἡγείται τῶν φυλετῶν, καὶ λοχαγούς καθίσ[τ]ησιν.

χειροτονοῦσι δὲ καὶ ἱππάρχους δύο ἐξ ἀπάντων· οὗτοι δ' 4

11 δοκοῦσι H-L. 13 ἀλλ(supra scr. ω)ωι. 14 ἐὰν H-L. πάλιν? K-W (K³, B); τὰ [λοιπὰ] K¹; [ἐτι] H-L. κύριοι δ' H-L. 15 τιν: τιν' K, B: τὸν K-W, H-L. κηρύξαι (K): <ἐκ> κηρύξαι Blass, Lipsius (K-W, H-L). 16 δ' H-L.

§ 3 Bekk. An. 306, 12 ταξίαρχοι—: ἄρχοντες ἡγούμενοι τῶν πολιτῶν κατὰ φυλὴν, χειροτονητοί, δέκα τὸν ἀριθμὸν, οἷς ὑπετέτακτο τὸ πλῆθος κατὰ φυλὴν.

§ 4 Pollux viii 94 ἱππάρχου δὲ δύο ἐξ ἀπάντων Ἀθηναίων αἰρεθέντες ἐπιμελοῦνται τῶν πολέμων. *Harp. ἱππάρχος:...λέγεται δὲ παρ' Ἀθηναίους ἱππάρχος καὶ ὁ τῶν ἱππέων ἄρχων· δύο δ' ἦσαν οὗτοι, ὡς Δημ. ἐν δ' Φιλιππικῶν φησὶ καὶ Ἀρ. ἐν Ἀθ. πολ. Phot. ἱππάρχου: δύο ἦσαν, οἱ τῶν ἱππέων ἡγούντο, “διελόμενοι τὰς φυλάς” ἑκάτερος ἀνὰ πέντε· ἐπιμεληταὶ δὲ εἰσι τῶν ἱππέων <οἱ φύλαρχοι additum ex Poll. viii 94> καθάπερ οἱ ταξίαρχοι δέκα ὄντες εἰς ἐφ' ἐκάστης φυλῆς τῶν ὀπλιτῶν (Frag. 391², 431³).

ἐκκλησία, ἐπιχειροτονεῖν εἰ δοκοῦσι καλῶς ἄρχειν. This procedure must have been instituted with special reference to military officials; hence the fulness with which it is treated here in comparison with 43 § 4 (Lipsius, Leipzig *Verhandl.* p. 49).

τιμῶσιν] It was a δίκη τιμητὸς (Meier and Schöm. p. 213 f, Lips.).

δῆσαι] During the Sicilian expedition Lamachus put to death a soldier who was caught signalling to the enemy, Lys. 13 § 67; and Iphicrates at Corinth transfixed with his spear a sentinel whom he found asleep at his post (Frontinus iii 12, 2). In Dem. 50 § 51 even a trierarch fears he may be put into bonds by a στρατηγός: φοβούμενος μὴ δεθῇν. Cf. Xen. *Mem.* iii 5, 19, τοὺς ὀπλίτας καὶ τοὺς ἱππεῖς—ἀπειθεστάτους εἶναι πάντων.

ἐκηρύξαι] One Simon, who arrived too late for the battle of Corinth and the march to Coroneia, had a scuffle with the taxiarch and struck him, καὶ πανστρατιᾶ τῶν πολιτῶν ἐξεληθόντων, δόξας ἀκοσμήτατος εἶναι καὶ πονηρότατος, μόνος Ἀθηναίων ὑπὸ τῶν στρατηγῶν ἐξεκηρύχθη. This implies that the offender was expelled from the army, after being publicly proclaimed unworthy to serve as a soldier. Lys. 3 § 45.

ἐπιβάλλειν] [Lys.] 15 § 5, ἐχρῆν γὰρ αὐτοὺς (τοὺς στρατηγούς) εἰπερ ἀληθῆ λέγουσιν ἀνακαλεῖν μὲν Πάμφιλον ὅτι ἀφαιρῶν

τὸν ἵππον ἱππέως ἀπεστέρει τὴν πόλιν, ἐπιβάλλειν δὲ τῷ φυλάρχῳ, ὅτι ἐξελάνων Ἀλκιβιάδην ἐκ τῆς φυλῆς ἄκυρον ἐποίησε τὴν τούτων τάξιν, κελεύειν δὲ τὸν ταξίαρχον ἐξαλείφειν αὐτὸν ἐκ τοῦ τῶν ὀπλιτῶν καταλόγου.

§ 3. ταξίαρχοι] commanders of the 10 τάξεις of hoplites corresponding to the 10 φυλαί. They were instituted after 490 B.C. Dem. 4 § 26, οὐκ ἐχειροτονεῖτε δ' ἐξ ὑμῶν αὐτῶν δέκα ταξίαρχους καὶ στρατηγούς καὶ φυλάρχους καὶ ἱππάρχους δύο; each of the taxiarchs commanded the hoplites of a single tribe, Dem. 39 § 17, ταξίαρχων τῆς φυλῆς, Aeschin. *F.L.* 169, Τεμενίδου τοῦ τῆς Πανδιονίδος ταξίαρχου. ἡγείται τῶν φυλετῶν] As a rule the taxiarch was a member of the tribe which he commanded, Thuc. viii 92, ὁ Ἀριστοκράτης ἦν ταξίαρχων καὶ τῆς ἑαυτοῦ φυλῆς ἔχων, CIA ii 444, 446 (Gilbert, i 225).

λοχαγούς] Isocr. 15 § 117, Isaeus 9 § 14. The text shows that they were appointed by the ταξίαρχοι, and not, as has been supposed (Gilbert i 225), by the στρατηγοί.

§ 4. ἱππάρχους] Their importance is implied by Lys. 26 § 20, ἀντιτούτων αὐτοὺς ὁ δῆμος ταῖς μεγίσταις τιμαῖς τιμήκεν, ἱππάρχειν καὶ στρατηγεῖν καὶ πρεσβεῖν ὑπὲρ αὐτῶν αἰρούμενοι. δύο] Dem. 4 § 26 *si erga*, CIA ii 445, 15.

ἡγούνται τῶν ἱππέων, διελόμενοι] τὰς φυλάς πέντε ἑκάτερος· 20
κύριοι δὲ τῶν αὐτῶν εἰσὶν, ὥνπερ οἱ στρατηγοὶ κατὰ τῶν ὀπλι[τῶν].
ἐπιχειρο]τονία δὲ γίγνεται <καὶ> τούτων.

- 5 χειροτονοῦσι δὲ καὶ φυλάρχους <δέκα>, ἕνα τῆς φυλῆς, τὸν
ἡγ[ησά]μενον] <τῶν ἱππέων>, ὥσπερ οἱ ταξίαρχοι τῶν ὀπλιτῶν.
6 χειροτονοῦσι δὲ καὶ εἰς Λήμνον ἵππαρχον, ὃς ἐπιμ[ε]λείται 25
τῶν ἱππέων τῶν ἐν Λήμνῳ.
7 χειροτονοῦσι δὲ καὶ ταμίαν τῆς Παράλου καὶ ἄλλον τῆς
[τοῦ "Α]μμωνος.

21 ὦνπερ εἰσὶν ὥνπερ van Leeuwen (H-L, K-W, K³, B); ὥνπερ Gertz.
22 ΓΙΝ (K-W). ΤΟΥΤΩΝ Κ: <καὶ> τούτων Gertz, Lips., K-W, H-L, B. 23 post
φυλάρχους add. δέκα Richards, K-W, H-L, B; post δὲ καὶ excidisse antea putabam.
24 τῶν ἱππέων Pollucem secutus add. Κ (K-W, H-L, B).

§ 5 Pollux viii 94 οἱ δὲ φύλαρχοι δέκα, εἰς ἀπὸ φυλῆς ἑκάστης, τῶν ἱππέων
πρῶστάνται, καθάπερ οἱ ταξίαρχοι τῶν ὀπλιτῶν. *Harp. φύλαρχος:...ὁ κατὰ φυλὴν
ἐκαστην τοῦ ἱππικοῦ ἄρχων, ὑποταταγμένος δὲ τῷ ἱππάρχῳ, ὡς 'Αρ. ἐν τῇ 'Αθ. πολ. φησί
(Frag. 392², 432³).

§ 7 *Harp. ταμίαι:...εἰσὶ δὲ τινες καὶ τῶν (ιερώων) τριήρων ταμίαι, ὡς ὁ αὐτὸς
φιλόσοφος (sc. Ar.) φησιν (cf. Suid. ταμίαι art. 2). Phot. s.v. εἰσὶ δὲ καὶ ἄλλοι ταμίαι,
ἄρχοντες χειροτονητοὶ ἐπὶ τὰς ἱερὰς καὶ δημοσίας τριήρεις, ὁ μὲν ἐπὶ τὴν Πάραλον, ὁ δὲ
ἐπὶ τὴν τοῦ 'Αμμωνος. Pollux viii 116 ταμίαις ἐκάλουν τοὺς ταῖς ἱεραῖς τριήρεσι λειτουρ-
γοῦντας, ἄλλους ἢ τριηράρχους (cf. Frag. 402², 442³).

*Lex. rhet. Cantab. Πάραλος καὶ Σαλαμινία: ταύτας τὰς τριήρεις εἶχον διὰ παντὸς
πρὸς τὰς ἐπείγουσας ὑπηρεσίας, ἐφ' αἷς καὶ ταμίαι τινὲς ἐχειροτονοῦντο... Ἀριστοτέλης δὲ
'Αμμωνιάδα καὶ Πάραλον οἶδε. Schol. in Dem. p. 636, 16 Dind....καὶ 'Αμμωνιάς ἐπειδὴ
τῷ 'Αμμωνι δι' αὐτῆς τὰς θυσίας ἔπεμπον. Cf. Phot. s.v. Πάραλοι et Πάραλος, Harp.
s.v. 'Αμμωνίς, Lex. Dem. Patm. p. 150 (Frag. 403², 443³).

τὰς φυλάς πέντε ἑκάτερος] Xen. *Hipparch.* 3 § 11, ὅταν οἱ ἵππαρχοι ἡγῶνται
ταῖς πέντε φυλαῖς.

κύριοι] The disciplinary powers of the
ἵππαρχοι are illustrated by Hesych. s.v.
ἱππάρχου πίναξ: ἐπεὶ οἱ ἵππαρχοι ἐν πίναξι
τὰ ὄνματα τῶν ἀτακούντων γράφοντες
παρεσημειοῦντο.

§ 5. φυλάρχους] In CIA ii 444, 445 the
φυλάρχοι belong to the tribes which they
command.

§ 6. εἰς Λήμνον ἵππαρχον] This officer was
in command of a corps of Athenian
cavalry stationed in Lemnos. That
island had long been in the possession of
Athens and was held by Athenian κλη-
ροῦχοι. Athens had recovered possession
of Lemnos, Imbros and Scyros before
B.C. 387 and her right was recognised in
that year by the 'peace of Antalcidas'.
Hyperides, *pro Lycophrone*, c. 14, ὑμεῖς
γάρ με, ὧ ἄνδρες δικασταί, πρῶτον μὲν
φύλαρχον ἐχειροτονήσατε, ἔπειτα εἰς Λήμ-
νον ἵππαρχον, καὶ ἤρξα μὲν αὐτόθι δύ'
ἔτη τῶν πάσθ' ἱππαρχικῶν μόνος, προσ-
κατέμεινα δὲ αὐτόθι τὸν τρίτον ἑνιαυτὸν οὐ
βουλόμενος πόλιτας ἄνδρας ἐπὶ κεφαλῇ

εἰσπράττειν τὸν μισθὸν τοῖς ἱππεῦσιν ἀπόρως
διακειμένους. στεφάνους δὲ τρισὶν ἔστε-
φανώθη ἐπὶ τοῦ δήμου τοῦ ἐν Ἡφαιστία
καὶ ἑτέροις ὑπὸ τῶν ἐν Μυρίνῃ. Dem. 4
§ 27, εἰς μὲν Λήμνον τὸν παρ' ὑμῶν ἵππαρχον
δεῖ πλεῖν. CIA ii 14 (B.C. 387/6), [ἵππαρ-
χ]οῦντος ἐν Λήμνῳ. CIA ii 593 (a decree
passed by the κληροῦχοι at Myrina after
the third Macedonian war), ἐπὶ δὲ Λήμνον
στρατηγοῦντος Φιλαρχίδου Παιανιέως ἱπ-
παρχοῦντος τὸ δεύτερον Τελεσιδήμου τοῦ
'Αμνίου Ἐκαλήθεν. Cf. Gilbert, i 424—5;
Hauvette-Besnault, pp. 169, 170.

§ 7. ταμίαν τῆς Παράλου] In Dem.
Mid. § 173, Midias is described as saying:
ἱππάρχῃκα, τῆς παράλου ταμίαις γέγονα.
Demosthenes adds: τῆς μὲν παράλου τα-
μιεύσας Κυζικηνῶν ἤρπασε πλεῖν ἢ πέντε
τάλαντα. § 174, Midias allowed the Paralus
to be outstripped in speed by one of the
ordinary triremes, οὕτως εὐ τὴν ἱερὰν
τριήρη παρεσκευάκει. The ταμίαις Παράλου
is mentioned in CIA ii 804 B 66 (B.C.
334/3), and probably also in 808 A 79
(B.C. 326/5). The ταμίαις provided for
the sacred trireme at the cost of the state
all that, in the case of ordinary vessels,

62. αἱ δὲ κληρωταὶ αἱ[ρχ]αὶ πρότερον μὲν ἦσαν αἱ μὲν μετ' ἐννέα ἀρχόντων ἐ[κ] τῆς φυλῆς ὅλης κληρούμεναι, αἱ δ' ἐν Θησείῳ

LXII 1 ΜΕΤ (K, K-W, B): μετὰ τῶν (μτ) Gennadios, H-L.

was provided by the trierarch himself. The ship was entirely manned by Athenians (Thuc. viii 73, 5) who were paid 4 obols a day (Harpocr. *s.v.*). Cf. Boeckh, 305 ff. Fränkel. The Paralos and Salaminia are mentioned in Arist. *Av.* 1207 and Thuc. iii 33, 2: the Salaminia was sent in pursuit of Alcibiades in vi 53, 1 and 61, 4 (cf. Arist. *Av.* 147). A statement in Photius (*s.v. παράλοι*), λέγεται δὲ ἡ αὐτὴ καὶ Σαλαμινία, led Boeckh to accuse Photius of confounding the two triremes with one another, which is inconsistent with the same lexicographer's article on παράλοι. Mr Marindin, in *Dict. Ant.* ii 827 a, understands ἡ αὐτὴ as meaning 'of a similar character'; but I should prefer attributing the mistake to a careless citation from the Schol. on *Av.* 1204, where we are told that, if, instead of Παράλοις ἡ Σαλαμινία, we read Παράλοις ἡ Σαλαμινία: ἔσται ἡ αὐτὴ Παράλοις καὶ Σαλαμινία.

1. 28. τοῦ Ἀμμωνος It follows from the passages quoted in the *Testimonia* that the state-trireme, formerly called the Σαλαμινία, was superseded by one named after Ζεὺς Ἀμμων and known as the Ἀμμωνίς (Harpocr.) or Ἀμμωνίδας (Lex. Rhet. Cant.). It was specially intended to convey θεωραὶ to the coast of Cyrene, on their way to the shrine of Ζεὺς Ἀμμων. Cimon sent from Cyprus to consult the oracle shortly before his death (Plut. *Cim.* 18); in the *Aves*, 716 and 618, Ammon is mentioned by the side of Delphi and Dodona; and it is therefore possible that θεωραὶ may have been sent there as early as 415 B.C. In [Plat.] *Alc.* ii 148 E, the Athenians consult the oracle on the question why they were constantly being beaten by the Lacedaemonians. We have a record of a sacrifice to Ἀμμων on the part of the στρατηγοὶ in B.C. 333 (CIA ii 741, 32); Boeckh ii 118—121 Fränkel. Thus it seems probable that the oracle was originally consulted by Athens in connexion with military undertakings, and this custom may account, not only for the sacrifice offered by the στρατηγοὶ, but also for the connexion in which the vessel is mentioned in this chapter, at the close of a description of the military officers of Athens.—Hesych. *s.v. Ἀμμών* (Ἀμμωνία?) has ἐορτὴ Ἀθήνησιν ἀγομένη, and it would be natural that the general interest in

the oracle should be increased by the visit paid by Alexander the Great in B.C. 331. The sacred trireme Ἀμμωνίς was mentioned by Dinarchus in his speech against Himeræus (Harpocr. *s.v. Ἀμμωνίς*), which may be assigned to B.C. 324 (Rose, *Ar. Pseud.* p. 397).

It has been suggested (by Rose, *l.c.*) that the name of the sacred trireme Salaminia was changed in consequence of the revolt of Salamis in B.C. 318 (Paus. i 35, 2; Polyæn. iv 11, 1; Diod. 18, 69; CIG i p. 418), but the text shews that the Ἀμμωνίς superseded it at an earlier date.

The name Salaminia was in itself not uncommon. Thus, in B.C. 357/6 there were two ships bearing the name Salaminia (one belonging to the second class, CIA ii 793 b 33; the other, one of the νῆες ἐξαιρετοί, *ib.* c 32); a trireme named Salaminia foundered at sea shortly before B.C. 325/4 (CIA ii 809 d 29 and 811, 89); and a τετρήρης of the same name occurs in an inscr. of B.C. 323/2 or shortly after: CIA ii 812 a 123. In the same inscr., a 25 and 42, there are two triremes named Παράλοι (not Παράλοις). All these, however, are *warships*. Not one of the sacred triremes is mentioned in the naval archives of Athens. Cf. Boeckh ii xvi, vol. i p. 306—7, and note 448 Fränkel.

LXII. *Salaries.*

§ 1. αἱ μὲν μετ' ἐννέα ἀρχόντων It is not known what offices are meant: Mr Kenyon suggests that the phrase included 'all the various boards of ten.' A similar phrase occurs in the ὅρκος ἡλιαστών in Dem. c. *Timocr.* 150, τῶν ἐννέα ἀρχόντων καὶ τοῦ ἱερομνήμονος καὶ ὅσαι (ἀρχαὶ) μετὰ τῶν ἐννέα ἀρχόντων κυμαίνονται ταύτῃ τῇ (τῇ αὐτῇ?) ἡμέρᾳ, καὶ κηρυκός καὶ πρεσβείας καὶ συνέδρων.

αἱ δ' ἐν Θησείῳ κληρουμέναι 'the offices assigned by lot in the Theseum' (c. 15 § 4). In Aeschines, c. *Ctes.* § 13 (B.C. 336—330), the offices to which the people elect (χειροτονεῖ), such as those of the στρατηγοὶ and ἵππαρχοι, are contrasted with those ἀς οἱ θεσμοθέται ἀποκληροῦσιν ἐν τῷ Θησείῳ. It might be inferred from this that the Theseum was the only place in which the allotment was held; whereas the text implies that the archons were appointed elsewhere. The place is not known.

κληρούμεναι διηρῶντο εἰς τοὺς δῆμ[ο]υς· ἐπειδὴ δ' ἐπώλουν οἱ δῆμοι, καὶ ταύτας ἐκ τῆς φυλῆς ὅλης κληροῦσι πλὴν βουλευτῶν καὶ φρουρῶν· τούτους δ' εἰς τοὺς δ[ημότ]ας ἀποδιδόασιν.

2 μισθοφοροῦσι δὲ πρῶτον [μὲν ὁ δῆμος] ταῖς μὲν ἄλλαις ἐκκλησί-
αις δραχμὴν, τῇ δὲ κυρίᾳ ἐννέα <ὀβολούς>· ἔπειτα τὰ δικ[αστήρια]
τρῆς ὀβολούς· εἴθ' ἡ βουλὴ πέντε ὀβολούς. τοῖς δὲ πρυτανεύουσιν
εἰς σίτησιν [ὀβολὸς π]ροστίθεται [[δέκα προστίθενται]]. ἔπειτ' εἰς
σίτησιν λαμβάνουσιν ἐνν[έα ἄρχον]τες τέττα[ρας] ὀβολούς ἕκαστος, 10

3 <αἱ> διηρῶντο Gertz, H-L. 7 ἐννέα <ὀβολούς> K-W, H-L. 9 ὀβολὸς Blass (et K³), deletis quae sequuntur δέκα προστίθενται: scilicet scriptum erat 1 ΠΡΟΣΤΙΘΕΤΑΙ, ubi 1 significat εἰς ὀβολός, sed male intellectum pro δέκα erat acceptum; inde exortum additamentum δέκα προστίθενται. εἰς ὀβολός Rutherford, H-L; satis spatii relictum si 10ΒΟΛΟC scriptum erat. 10 <οἱ> ἐννέα Gennadios, H-L; ἐννέα K, K-W, B, coll. v. 2.

διηρῶντο] 'used to be distributed over' the demes.

πλὴν βουλευτῶν] This shews that the preliminary appointment of members of the Council was made by the demes. The fact that the demes lost the preliminary appointment to certain offices, owing to their being corrupt, makes us understand how it was possible for Aeschines to taunt Demosthenes with having secured his appointment as βουλευτῆς by bribery and intrigue, Aesch. in Ctes. 62, οὔτε λαχὼν οὔτε ἐπιλαχὼν ἀλλ' ἐκ παρασκευῆς πριάμενος, 73, βουλευτῆς ὧν ἐκ παρασκευῆς.

The lists of Prytanies for the fourth century (CIA ii 864—874) prove that the number of members of the Council belonging to each deme varies with the size of the deme, and that the number appointed from the same deme is constant. It was inferred from this that a certain number were appointed from each deme, and not from the whole tribe indiscriminately (Köhler in *Mittheil.* iv 97; Hauvette-Besnault in *Bull. Corr. Hell.* v 361; Headlam, *On the Lot*, pp. 55, 56). This inference is confirmed by the text. Probably each deme nominated twice the requisite number; half of these were appointed by lot, and the rest held in reserve to take their places if necessary (Headlam, p. 188). Even in the case of offices filled by lot something of the nature of candidature is implied by Lys. 31 § 33 (of one who had drawn the lot to be a βουλευτῆς, προθύμως κληρωσόμενος ἦλθε, 6 § 4, ἂν ἐλθῃ κληρωσόμενος τῶν ἐννέα ἀρχόντων (cf. 20 § 13), and Isocr. 15 § 82, κληροῦσθαι τῶν ἀρχῶν ἑνεκα.

φρουρῶν] possibly the 500 φρουροὶ

νεωρίων, mentioned with the 500 βουλευταὶ in 24 § 3.

§ 2. δραχμὴν] At the end of c. 41 the highest sum named as the μισθὸς ἐκκλησιαστικός was 3 obols. The text implies that this sum had been doubled. In Arist. *Vesp.* 691 and Schol. a drachma is the sum paid at that time to the συνήγοροι, but there is no probability that that is the fee here meant.

τρῆς ὀβολούς] In 27 § 3 the institution of the μισθὸς δικαστικός by Pericles is mentioned; but the amount is not named. It was raised to three obols by Cleon. (Schol. Arist. *Vesp.* 88, 300; Gilbert i 325—6.)

πέντε ὀβολούς] one obol more is the amount named in Hesych. s. v. βουλῆς λαχεῖν· τὸ λαχεῖν βουλευτὴν καὶ δραχμὴν τῆς ἡμέρας λαβεῖν. Hesychius has probably confounded the five obols paid to the ordinary βουλευτῆς with the six paid to the πρυτάνεις. Thuc. viii 69 mentions the μισθὸς without naming the amount.

ἄρχοντες κτλ.] This shews that the archons, amongst others, actually received something of the nature of a stipend. It was supposed by Schömann (*Anf.* p. 402) that the 'executive functionaries' (ἄρχοντες) as well as the 'commissioners' (ἐπιμεληταί), as contrasted with the 'subordinates' (ὑπηρεταί), 'served without pay.' Boeckh, II xvi p. 304 Fränkel, more cautiously describes this as the 'original' distinction between an ἀρχή and a ὑπηρεσία. c. 24 § 3 mentions the 700 ἀρχαὶ ἐνδημοὶ as in receipt of pay; and in c. 29 § 5 the board of Thirty appointed in B.C. 411 propose τὰς ἀρχὰς ἀμίσθους ἀρχειν ἀπάσας ἕως ἂν ὁ πόλεμος ᾗ, πλὴν τῶν ἐννέα ἀρχόντων καὶ τῶν πρυ-

καὶ παρατρέφουσι κήρυκα καὶ αὐλητήν· ἔπειτ' ἄρχων [εἰς Σαλα]-
μῖνα δραχ[μὴν] τῆς ἡμέρας. ἀθλοθέται δ' ἐν πρυτανείῳ δειπνοῦσι
τὸν ἐκ[ατομβ]αιῶνα μῆνα, ὅ[τ]αν ἡ τὰ Παναθήναια, ἀρξάμενοι ἀπὸ
τῆς τετράδος ἱσταμένου. ἀμ[φι]κτύονες εἰς Δῆλον δραχμὴν τῆς
15 ἡμέρας ἐκάστης ἐκ Δήλου <λαμβάνουσι>. λαμβάνουσι δὲ καὶ
ὅσαι ἀποστέλλονται ἀρχαὶ εἰς Σάμον ἢ Σκύρον ἢ Λήμνον ἢ Ἴμβρον
εἰς σίτησιν ἀργύριον.

ἄρχειν δὲ τὰς μὲν κατὰ πόλεμον ἀρχὰς ἔ[ξε]στι πλεονάκις, τῶν 3
δ' ἄλλων οὐδεμίαν, πλὴν βουλευσάμεναι δις.

12 <τῷ> πρυτανείῳ H-L. 13 Ο[Τ]ΑΝ (K-W, K³, B): ὅ ἂν K¹, H-L. 15 <λαμ-
βάνουσι> add. K (K-W, H-L): nihil addit B.

τανέων οἱ ἂν ὦσιν, τούτους δὲ φέρειν τρεῖς
ὁβολοὺς ἕκαστον τῆς ἡμέρας. This implies
(as observed by Mr Kenyon) that 'the
magistrates named, and others who are not
named, received pay.' [Xen.] *de Rep. Ath.*
1, 3, says that the δήμος is not eager for
offices like those of στρατηγός or ὑπαρχος,
—ὅποσαι δ' εἰσὶν ἀρχαὶ μισθοφορίας ἕνεκα
καὶ ὠφελείας εἰς τὸν οἶκον, ταύτας ζητεῖ ὁ
δῆμος ἀρχεῖν.

κήρυκα καὶ αὐλητήν] Both the κήρυξ τῷ
ἀρχοντι and the αὐλητής are mentioned in
CIA iii 1005 and 1007 (Gilbert i 157 n. 4).

ἀρχων εἰς Σαλαμῖνα] 54 § 8.

ἀθλοθέται] 60. ἑκατομβαιῶνα] The
principal day of the greater Panathenaea
(54 § 7; 60 § 1) was the third from the
end of Hecatombaeon. Probably the
lesser Panathenaea were also held in the
same month: in Dem. c. *Timocr.* 28, the
Panathenaea (of Ol. 106, 4, B.C. 353) are
at hand on Hecatombaeon 11th. In the
text the greater Panathenaea alone appear
to be meant.

ἀμφικτύονες εἰς Δῆλον] the Athenian
Commissioners of the funds of the Delian
temple, called ἀμφικτύονες because *in*
theory they were the deputies of the
Ἴώνων τε καὶ περικτιόνων νησιωτῶν (Thuc.
iii 104). The 'Sandwich marble,' now
in the library of Trinity College, Cam-
bridge, records their accounts from B.C.
377 to 374, beginning τάδε ἔπραξαν ἀμ-
φικτύονες Ἀθηναίων. Each Amphictyon
administered the temple for one year,
beginning with Hecatombaeon, the first
month in the Attic civil year (Hicks, *Gk.*
Hist. Inscr. p. 142—148; CIA ii 814).

ἐκ Δήλου, from the funds of the Delian
temple.

Σάμον] Athenian κληροῦχοι were set-
tled in Samos after its conquest by Timo-
theus in B.C. 365. κληροῦχοι were also

sent in 361 and again in 352 (Aeschin. i
§ 53; A. Schaefer, *Dem.* i² p. 99 n,
p. 474 n).

After the autumn of 322 the Athenians
were no longer in a position to send ἀρχαὶ
to Samos; at that date the island ceased
to be under their control, and the Samians
banished by Athens were restored by Per-
diccas, Diod. xviii 18 (F. Cauer in *Berl.*
Phil. Woch. 9 April, 1892, p. 458).

Σκύρον.. Λήμνον.. Ἴμβρον] The γραμ-
ματεῖς τοῦ δήμου for each of these islands
is mentioned in inscriptions published in
Bull. Cor. Hell. 1879 p. 63, CIA ii 592:
and Conze's *Reise*, p. 88, respectively;
also, in Scyros, a ταμίς τοῦ δήμου (*Bull.*
Corr. Hell. l. c.). Cf. Gilbert, i 424.

§ 3. τὰς μὲν κατὰ πόλεμον—πλεονάκις]
Thus Pericles was general for 15 years,
and Phocion 45 times (Plut. *Per.* 15, *Phoc.*
8).—In *Pol.* 137 i b 24, (it is character-
istic of a democracy) τὸ μὴ δις τὸν αὐτὸν
ἀρχεῖν μηδεμίαν ἢ ὀλιγάκις ἢ ὀλίγας ἔξω
τῶν κατὰ πόλεμον. Dem. *Proem.* p.
146 i, 9, δεινότεροι γὰρ ἐστ' ἀφελέσθαι μὲν
δσ' ὑμῖν ὑπάρχει, καὶ νόμοις περὶ τούτων
θεῖναι, ἂν τις ἀσυννομίῃ δις ἢ τὰ τοιαῦτα,
στρατηγείν δ' αἰετὸς αὐτοὺς ἐάν, c. *Timocr.*
149 (ὄρκος ἡλιαστικὸς), οὐδὲ δις τὴν αὐτὴν
ἀρχὴν τὸν αὐτὸν ἄνδρα καταστήσω. *Pol.*
1299 a 10, μὴ τὸν αὐτὸν δις ἄλλ' ἅπαξ
μόνον. 1275 a 25, δις τὸν αὐτὸν οὐκ ἔξεστιν
ἀρχεῖν ἐνίας (ἀρχάς).

The effect of the rule forbidding more
than one reappointment to the Council
was to give every Athenian citizen at some
period of his life a seat in that body.
At the time when the number of citizens
was at its highest (about 30,000 in 460
B.C.), it is probable that the number who
reached the age of 30 in each year, and
thus became qualified for the Council, was
rather less than 1,000 (Headlam, *On the*

63. τὰ δὲ δικαστήρια [κ]λη[ροῦσιν] οἱ ἐννέα ἄρ[χο]ντες κατὰ φυλάς, ὁ δὲ γραμματεὺς τῶν θεσμο[θετῶν τῆς] δεκάτης φυλῆς. 2 εἴσοδοι δὲ εἰσιν εἰς τὰ δικασ[τῆ]ρια δέκα, μία τῇ φυλῇ ἐκάστη, καὶ κλη[ρωτήρια] εἴκοσι, δ[ύο τῇ] φυλῇ ἐκάστη, καὶ κιβώτια ἐκατόν,

LXIII 1 ταΔ(ε)τα corr. K. πληροῦσιν Dareste. 2 <τοὺς> τῆς H-L, coll. c. 59 ult. 3 δικαστήρια: an κληρωτήρια?

TESTIMONIA. LXIII Schol. ad Arist. *Vesp.* 775 (v. Testim. c. 59 ult.). Schol. ad Arist. *Plut.* 277, p. 340 a 21 Dübner: (§ 4) ἔρχεται ἕκαστος εἰς τὸ <δικαστήριον> πινάκιον ἔχων "ἐπιγεγραμμένον τὸ ὄνομα" αὐτοῦ καὶ "πατρόθεν καὶ τοῦ δήμου" "καὶ γράμμα ἔν" τι "μέχρι τοῦ κ," διὰ τὸ πάλαι δέκα φυλάς εἶναι Ἀθήνησι, διήρητον γὰρ "κατὰ φυλάς." (§ 1) εἶτα οἱ θεσμοθεταὶ κατὰ φυλὴν ἕκαστος καὶ δέκατος ὁ γραμματεὺς ἐκλήρουν τὰ γράμματα μέχρι τοῦ κ καὶ τὰ λαχόντα ἴσα τὸν ἀριθμὸν τοῖς μέλλουσι κληροῦσθαι δικαστήριος, (§ 5) ὑπέρτης φέρων ἐτίθει καθ' ἕκαστον δικαστήριον ἔν· εἶτα πάλιν ἀπεκληροῦντο οἱ τὰ εἰληχότα γράμματα ἔχοντες τίνες δικάσουσι καὶ τίνες οὐ. *ib.* 972 Ἀθηναῖοι γὰρ ἀπὸ τῶν φυλῶν ἐποιοῦν τοὺς δικαστὰς κατὰ γράμματα, οἷον ἡ πρώτη τὸ α ἔσχε σημεῖον, καὶ ἡ δευτέρα τὸ β, καὶ αἱ ἄλλαι ὁμοίως ἕως τοῦ κ.

Lot, p. 50 n). Each of these might be a member of the 500 twice in his life, but not oftener. In the few cases in which the names of the βουλευταὶ from the same deme are preserved for more than one year, only one case of reappointment is to be found, viz. Διονύσιος Ἡφαιστίωνος of the deme Φιλαῖδα, (in the middle of the fourth century) CIA ii 870, 3, and (in B.C. 341) 872, 17.

Boeckh, ii 515 Fränkel, states his conviction that no one could be a member of the βουλή for two consecutive years: the text proves that it was possible.

As regards other offices, we know the names of a large number of ταμίαι, ἑλληνοσταμίαι and ἐπιμεληταί; but we never find one man holding the same office twice (*Headlam*, p. 91).

LXIII to the end. *The Law-Courts.*

On the Athenian procedure for the distribution of the δικασταὶ over the several δικαστήρια, see Schömann, *De Sortitione Iudicium apud Athenienses*, Opusc. Acad. i 200—229; Schömann, *Ant.* p. 475 E. T.; *Att. Process*, pp. 146—162 Lips.; Fränkel, *Att. Geschworenengerichte*, 1877, pp. 92 ff.; Gilbert, i 374—7; Busolt in Müller's *Handbuch*, iv i 180; and Caillemier in Daremberg and Saglio's *Dict.* iii 191.

§ 1. δικαστήρια κληροῦσιν] Pollux, viii 87, mentions as one of the duties of the archons, κληροῦν δικαστὰς. A distinction must, however, be drawn between κληροῦν δικαστὰς, which refers to the original assignment of dicasts to a heliastic division by means of the lot (c. 59 § 7), and κληροῦν δικαστήρια, which refers to the allotment of the several law-courts to the dicasts so

appointed (*ib.* § 5). [Dem.] 47 § 17, κληρομένων τῶν δικαστηρίων, and 37 § 39, τῶν δικαστηρίων ἐπικεκληρωμένων.

κατὰ φυλάς is not meant to imply that each δικαστήριον was allotted to a different tribe, but that representatives of all the tribes sat in each δικαστήριον. Hitherto it has generally been supposed that the daily allotment was not 'by tribes,' but by heliastic divisions or 'sections' (Schömann, *Ant.* p. 475).

§ 2. εἴσοδοι κτλ.] the separate entrances for the members of the several tribes would not only facilitate entrance and exit, but also make it easier to detect personation. It may perhaps be inferred that the members of each tribe sat together in the court.

It seems premature, however, to mention the entrances to the law-courts at this stage of the description; it may therefore be suggested that δικαστήρια has been written by mistake for κληρωτήρια. The εἴσοδος in l. 7 is clearly the entrance into the pair of κληρωτήρια assigned to each tribe.

κληρωτήρια] either (1) 'vessels for holding lots' (*urnes à lots*, Reinach); or (2) 'rooms in which the dicasts have their several courts allotted to them' (so Kaibel and Kiessling, Poland, and Hausoulrier). Mr Kenyon gives in the text of his translation 'twenty vessels for holding votes,' adding in the note the alternative rendering, 'rooms in which the jurors are elected.'

(1) is the preferable sense in Arist. *Eccle.* 682, BA. τὰ δὲ κληρωτήρια ποί τρέψεις; ΠΡ. ἐς τὴν ἀγορὰν καταθῆσω κῆρα στήσασα παρ' Ἀρμοδίῳ κληρώσω

5 δέκα τῇ φυλῇ ἐκάστη, καὶ ἕτερα κιβώτι[α δέκα, εἰς ἃ ἐ]μβάλλεται
τῶν λαχόντων δικα[σ]τῶν τὰ π[ινά]κια, καὶ ὑδρίαί δύο· καὶ βακ-
τηρίαί παρατίθενται κατὰ τὴν ἐ[ῖσοδον] ἐκάστην ὅσοι περ οἱ δικα-
[σ]ταί, καὶ βάλανοι εἰς τὴν ὑδρίαν ἐμβάλλονται ἴσαι ταῖς βακτη-
ρίαῖς, [γ]έγραπται δὲ ἐν ταῖς βαλάνοις τῶν στοιχείων ἀπὸ τοῦ
10 ἑνδεκάτου, τοῦ λ' [[τριακοστοῦ]], ὅσα περ ἂν μέλλῃ [τ]ὰ δικαστήρια
πληρωθῆσθαι. δικάζειν δ' ἔξεστιν τοῖς ὑπὲρ τριάκοντα ἔτη γε- 3

5 εἰς ἃ β: οἷς κ etc. 6 ΒΑΚΤΗΡΙΑ corr. κ. 7 ΟΥΣΟΙ ΠΕΡ corr. κ.
8 ταῖς βακτηρίαῖς: ἀπ τοῖς δικαστήριοις? 9 Τ(ΩΝ) ΣΤΟΙΧΕΙΩ(Υ) Blass (κ³): [τὰ]
στοιχεῖα (κ¹, κ-W, H-L). τοῦ ἑνδεκάτου delet Rutherford (H-L). 10 τριακοστοῦ
del. κ (κ-W, H-L, B). ΕΔΝ.

ἀπαντας (where the Schol. absurdly explains κληρωτήρια as τὰς κληρωτὰς ἀρχάς). κληρωτρίς means an urn for holding votes in Schol. Arist. *Vesp.* 674, κληρωτρίδι τῶν ψήφων, and 752, τοῦ κήρυκος τὴν κληρωτρίδα προσφέροντος, ἔβαλον τὰς ψήφους. Both senses are recognised in Pollux x 61, κληρωτήριον· εἰ γὰρ καὶ ἐπὶ τοῦ τόπου ἔοικεν εἰρήσθαι τοῦνομα ἐν τῷ Γήρα Ἀριστοφάνους, ἀλλὰ καὶ ἐπὶ τοῦ ἀγγείου ἂν ἐναρμόσειεν. The sense is uncertain in Eubulus ap. Athen. 640 B, κλητήρες .. μάρτυρες .. δίκαι .. κληρωτήρια .. κλεψύδραι, νόμοι, γραφαί, and in CIA ii 441, [ἀνα]γράφαι δὲ τῶδε [τὸ ψήφισμα —] κληρωτήριον λιθ[ε]ον.

(2) is supported by Plut. ii 793 D, πρεσβύτη—ἐπίπικρος καὶ ταλαίπωρος ἢ πρὸς πᾶν μὲν αἰεὶ κληρωτήριον ἀπαντῶσα φιλαρχία, παντὶ δὲ ἐφεδρεύονσα δικαστήριον καιρῷ καὶ συνεδρίου πολυπραγμοσύνη, Pollux ix 44, κληρωτήρια ἐνθα κληροῦνται οἱ δικασταί, and Bekk. *Anecd.* p. 47, κληρωτήρια: ἐνθα κληροῦνται οἱ δικασταί. It certainly has this meaning in col. 31 l. 18, ὁ ἀρχων τὴν φυλὴν κα[λεῖ] εἰς τὸ κληρωτήριον, and it therefore seems best to understand it in the same sense in the present passage. It is not obvious why each tribe requires two κληρωτήρια, unless we are to suppose that one of them was merely an antechamber serving as a waiting-room for the other.

κιβώτια] 'small boxes,' Arist. *Plut.* 711. The number of the first set of κιβώτια is 100, 10 for each tribe, because the dicasts in each tribe are distributed over all the ten divisions into which all the dicasts are divided. In each tribe, all the tickets (πινάκια) bearing the names of the dicasts in division A are placed in the first κιβώτιον, those of division B in the second, and so on for all the ten divisions. According to the number of

dicasts required, an equal number of tickets is drawn by lot from each of the 100 κιβώτια. Each ticket so drawn has a court assigned it by lot; and the tickets are now placed in the second set of 10 κιβώτια, all tickets of dicasts assigned to any given court being placed in the κιβώτιον which bears the letter corresponding to that court. The names of all the dicasts who are selected to serve are thus distributed over the several courts that are to sit on the day in question. The process is described in detail in col. 31.

πινάκια] see note on § 4.

βακτηρία] 'bâtons' serving the dicasts as badges of office. The βακτηρία was marked with the same letter and colour as the court assigned to the dicast, who gave it up on entering the court when he received a σύμβολον (or 'token') instead. This σύμβολον enabled him to claim the τριώβολον. See *infra* col. 32 l. 3—15, and cf. Dem. *de Cor.* 210, (δεῖ) παραλαμβάνειν γ' ἅμα τῇ βακτηρίᾳ καὶ τῷ συμβόλῳ τὸ τῆς πόλεως νομίζειν ἑκαστον ἡμῶν, ὅταν τὰ δημόσια εἰσίστη κρινούντες. Bekk. *Anecd.* p. 185, βακτηρία καὶ σύμβολον: ῥάβδον κατεῖχον οἱ δικάζοντες, καὶ σύμβολον ἐλάμβανον ἀντιδίδόντες διὰ τὸ κομίσασθαι τὸ τριώβολον. Pollux, viii 16, σκευὴ δὲ δικαστικά, σύμβολον, βακτηρία, <πινάκιον>, πινάκιον τιμητικόν.

βάλανοι] either actual acorns or (more probably) ballot balls of metal shaped like them. In either case the βάλανος had the letter of the court scratched upon it.

πληρωθῆσθαι] to be made up to their full complement of δικασταί. Dem. *c. Timocr.* 92, δικαστήρια πληροῦτε. *Mid.* 209; Lys. 26 § 6; Isae. 6 § 37; CIA ii 395 (of the θεσμοθέται) ὅταν πρῶτον πληρῶσιν δικαστήριον εἰς ἓνα καὶ πεντακοσίου δικαστάς. Cf. Meier and Sch. p. 156, note 18 Lips.

γονόσιν, ὅσοι αὐτῶν [μ]ὴ ὀφείλουσιν τῷ δημοσίῳ ἢ ἄτιμοι εἰσιν·
ἐὰν δέ τις δικάζῃ οἷς μὴ ἔξεστιν, ἐνδείκνυται καὶ [εἰς] τὸ δικαστή-
ριον εἰσάγεται[αι], ἐὰν δ' ἄλῳ, προστιμ[ῶσιν αὐτῷ] οἱ δικασταί, ὅ
τι ἂν δοκῇ ἄξιος εἶναι παθε[ῖν] ἢ ἀποτεῖσαι. ἐὰν δὲ ἀργυρίου¹⁵
τιμῇ, δεῖ αὐτὸν δεδέ[σθαι], ἕως ἂν ἐκτείσῃ τὸ τε πρότερον ὀφλη-
μ[α ἐ]φ' ᾧ ἐνεδείχθη, καὶ ὅ τι ἂν αὐτῷ προστιμήσῃ τ[ὸ δικ]αστή-
4 ριον. ἔχει δ' ἕκαστος δικαστῆς πινάκιον πύξινον, ἐπιγεγραμμένον

13 OIC: φ Richards (H-L). ΚΑΙ—ΕΙΣΑΓΕΤΑΙ K-W, K³, B: κατὰ τὸ δικαστή-
ριον εἰσαγγελία K¹ (εἰσαγγελία Fraenkel, H-L). 15, 16 ΑΠΟΤΙΣΑΙ—ΕΚΤΙΧΗ.
18 ἕκαστος <ὁ> B.

§ 4 Hesych. χαλκοῦν πινάκιον: 'Αθηναῖοι εἶχον ἕκαστος πινάκιον πύξινον ἐπι-
γεγραμμένον τὸ ὄνομα τὸ (τοῦ cod.) αὐτοῦ καὶ τοῦ δήμου πατρώθεν. Schol. Arist. *Plut.*
277. Photius πινάκιον· σύμβολον δικαστικόν, χαλκοῦν ἢ πύξινον.

§ 3. τριάκοντα ἔτη] Pollux viii 122,
ἐδίκασον οἱ ὑπὲρ τριάκοντα ἔτη ἐκ τῶν ἐπι-
τιμῶν καὶ μὴ ὀφειλόντων τῷ δημοσίῳ. Cf.
Dem. c. *Timocr.* 123 and Law *ib.* 50.

The text lends no support to the
opinion that the number of dicasts was
limited to 6,000 annually appointed by
lot from the general body of duly qualified
citizens. On the contrary, it favours
Fränkel's view that all duly qualified
Athenians might be enrolled on the list of
dicasts. At Ardetos, near the Pana-
thenaic stadium, δημοσία πάντες ὤμνον
'Αθηναῖοι τὸν ὄρκον τὸν ἐκκλησιαστικόν
(Harp. s. v. 'Αρδηττός). Fränkel, *Att.*
Geschworenenger., esp. pp. 14—20. The
number 6,000, however, occurs in c. 24,
13 with reference to the previous century.
ἐνδείκνυται ἐνδείξις was primarily put
in force against debtors to the state
(Dem. *Androt.* 33, *Nicostr.* 14). In Dem.
c. *Mid.* 182 Pyrrhus is prosecuted by ἐν-
δείξις for acting as dicast. Cf. *Dict. Ant.*
i 734 b.

προστιμῶσιν οἱ δικασταί] In cases
where a person illegally acted as dicast,
it was left to the court to impose the
penalty, Dem. c. *Mid.* l. c.; similarly in
the event of a disqualified person speak-
ing in the ἐκκλησία ([Dem.] *Aristog.* i
§ 92).

§ 4. πινάκιον] All the extant πινάκια
are of bronze; those of boxwood, men-
tioned in the text, having presumably
perished. The specimens from the British
Museum are given in Hicks, *Hist. Inscr.*
p. 202. Out of the 65 collected in CIA
ii 875—940, seventeen are mere fragments:
the remaining 48 exhibit in the upper
left-hand corner one of the first ten let-
ters of the Greek alphabet:—A(4), B(6),
Γ(5), Δ(9), Ε(8), Ζ(4), Η(2), Θ(6), Ι(3),

Κ(1). Two of them (914—5) were found
in the same tomb, both bearing the same
letter and the same name (with a slight
difference in spelling). Cf. 917—8. Appa-
rently each dicast remained permanently
in the division first assigned him; so that
the annual κλήρωσις δικαστῶν only affected
those citizens who on reaching the age of
30 were assigned to a particular division for
the first time. The πινάκια are discussed
by Dumont, *Rev. Arch.* 1868, p. 140;
C. Curtius, *Rhein. Mus.* 1876, 281; Klein,
Jahrb. des Vereins von Alterthumsfreun-
den in Rheinland, 1876, p. 57—; P.
Girard in *Bull. Corr. Hell.* 1878, p. 523
—; Fränkel, *Att. Geschworenenger.* pp.
94, 95, 105; Meier and Schömann, pp.
151—2, Lips.; and Caillemer in Darem-
berg and Saglio, iii 189 f. The πινάκιον
reproduced (as fig. 1) at the head of the
frontispiece bears the name of Διονύσιος
Διονυσίου ἐκ Κολ[ωνίας]; in the upper left-
hand corner is the letter of the division,
Α; below this, an owl between Α and Θ,
being part of ΑΘΗ, for 'Αθηναῖον; towards
the right are two owls between Α and Α,
and to the right of this is a gorgon's head
(CIA ii 876).

The use of the πινάκιον in drawing lots
for certain public offices is mentioned in
Dem. 39 (*adv. Boeotum de nomine*) § 12,
τί δέ, ἂν ἄρα... ἄτερος ἡμῶν πείσας τὸν ἑτε-
ρον, ἐὰν λάχῃ, παραδοῦναι αὐτῷ τὴν ἀρχήν,
οὕτω κληροῦται; τὸ δοῦν πινάκιον τὸν ἕνα
κληροῦσθαι τί ἄλλο ἐστίν; That this πι-
νάκιον was of bronze is proved by § 10,
ἂν δ' ἀρχὴν ἡγνυοῦν ἡ πόλις κληροί, οἷον
βουλῆς ἢ θεσμοθέτου ἢ τῶν ἄλλων, τῷ δήλῳ
ὁ λαχὼν ἔσται; πλὴν εἰ σημεῖον, ὥσπερ
ἄλλῳ τινί, τῷ χαλκίῳ προσέσται. The
πινάκιον is sometimes called the γράμμα
Arist. *Plut.* 277, ἐν τῇ σοφῇ νυνὶ λαχόν τὸ

τὸ ὄνομα τὸ ἑαυτοῦ πατρόθεν καὶ τοῦ δήμου, καὶ γράμ[μα] ἐν τῶν
 20 στοιχείων μέχρι τοῦ κ' νενέμνται γὰρ κατὰ φυλὰς δέκα μέρη οἱ
 δικασταί, παραπλ[ησί]ως ἴσοι ἐν ἑκάστῳ τῷ γράμ[μα]τι. ἐπειδὴν 5
 δὲ ὁ θεσμοθέτης ἐπικληρώσῃ τὰ γρ[άμ]ματα, ἃ δεῖ προσπαρatiθε-
 σθαι τοῖς δικαστηρίοις, ἐπέθηκε φέρων ὁ ὑπηρέτης ἐφ' ἑκαστ[ον]
 τὸ δικ[αστήριον] τὸ γράμμα τὸ λαχόν.

19 ΕΔΥΤΟΥ: τ' αὐτοῦ H-L.

22 ΠΡΟΣΠ(ΑΡΑ)ΤΙΘΕΣΘΑΙ Blass (κ³): —ΓΙΝΕΣΘΑΙ
 κ¹ (K-W, H-L).

23 ἑκαστον τὸ B.

γράμμα σου δικάζειν, σὺ δ' οὐ βαδίζεις, ὁ δὲ
 Χάρων τὸ σύμβολον δίδωσιν. *Ib.* 1166,
 γράμμα is synonymous with the section of
 dicasts indicated by a particular letter:
 οὐκ ἐτὸς ἅπαντες οἱ δικάζοντες θαμὰ σπεύ-
 δουσιν ἐν πολλοῖς γεγράφθαι γράμμασιν
 (Meier and Schöm. p. 150, note 9 Lips.).

ἐπιγεγραμμένον—δήμου] Cf. Plat. *Leg.*
 753 c (in the scheme for the election of
 magistrates), εἰς πινάκιον γράψαντα τοῦ-
 νομα πατρόθεν καὶ φυλῆς καὶ δήμον ὁπόθεν
 αὖν δημοστεύηται.

νενέμνται γὰρ κατὰ φυλὰς δέκα μέρη]
i.e. are divided into ten sections distributed
 over the tribes. The ten μέρη did not
 coincide with the ten tribes, but each
 μέρος had a nearly equal number of di-
 casts from all the tribes. The extant
 πινάκια prove that members of different
 tribes belonged to the same section (Benn-
 dorf, *Götting. gel. Anz.* 1870, p. 276—).

ἑκάστῳ τῷ γράμματι] A, B, Γ, &c
 to K.

§ 5. θεσμοθέτης] Pollux viii 88, (οἱ
 θεσμοθέται) ταῖς ἀρχαῖς ἐπικληροῦσι τὰ δι-
 καστήρια τὰ ἴδια καὶ τὰ δημόσια. CIA ii
 567 b (inscr. in honour of a θεσμοθέτης),
 ἐπιμελεῖται—τῆς κληρώσεως τῶν δικαστη-
 ρίων, *ib.* 809, 206 (B.C. 325/4), τοὺς θεσμο-
 θέτας παρα[πλ]ηρώσαι δικαστήρια εἰς ἕνα
 καὶ διακοσίους. The θεσμοθέτης draws lots
 assigning the letters (A, M, N, P, &c)

to the several courts. The letter thus
 allotted was placed over the entrance of
 the court. Hence γράμμα is synonymous
 with δικαστήριον in Arist. *Ecl.* 683—,
 κληρώσω πάντας, ἕως ἂν εἰδῶς ὁ λαχὼν
 ἀπὴρ χαίρων ἐν ὁποίῳ γράμματι δειπνεῖ.
 In the next three lines the letters B, Θ
 and K can only refer to the ten heliastic
 divisions (A to K) severally marked on
 the dicast's πινάκιον. In line 688 we
 have another sense of γράμμα: δῖψ δὲ τὸ
 γράμμα μὴ ἔγκυσθῇ κτλ. Here (as in
Plut. 277) γράμμα is synonymous with
 the πινάκιον, which has the letter of the
 heliastic division stamped upon it.

Even the original allotment of the citi-
 zens to the several heliastic divisions was
 under the superintendence of the θεσμοθέ-
 ται (cf. 59 § 7). This would involve the
 use of a set of balloting balls or counters
 marked with a letter indicating the several
 divisions (A, B, Γ, Δ, Ε, to K). It is
 probably specimens of these that have sur-
 vived in two bronze counters having on the
 one side four owls arranged diagonally
 and encircled with the word θεσμοθέτων,
 and on the other the letter A or E (Fränkel
 in Sallet's *Zeitschrift f. Numismatik*, iii
 p. 383 f, and Caillemier in Daremberg and
 Saglio, iii 191). See figs. 2 and 3 in fron-
 tispiece.

FRAGMENTA

ex papyri paginis ultimis.

col. 31.] τ]ὰ δὲ [κιβώτια *ταῖς φυλ]αῖς [κατατίθενται*
 πρόσθεν [*τῶν ἀρχόντων* κ]αθ' ἐκάστην τῇ[ν φυ-
 λήν. ἐπ[ι]γέ[γραπται δ'] ἐπ' αὐτῶν τὰ στο[ι-
 χεῖα μέχρι τ[οῦ κ. ἐπ]ειδὼν δ' ἐμβάλωσιν [τω-
 ν δικαστ[ῶ]ν τ[ὰ πινάκ]ια εἰς τὸ κιβώτι[ον], 5
 ἐφ' οὗ ἂν ἡ ἐπι[γεγρα]μμένον τὸ γράμ[μα
 τὸ αὐτὸ ὅπ[ε]ρ ἐπὶ τῷ πινακίῳ ἐστίν, ἀ[πὸ
 τῶν στοιχείω[ν δια]σείσαντος τοῦ ὑ[πη-
 ρέτου ἔλκει ὁ [θεσμο]θέτης ἐξ ἐκάστου
 τοῦ κιβωτίο[υ πινά]κιον ἓν. οὗτος δὲ 10

Fragmentorum in lacunis supplendis post editorem primum multum praestiterunt H-L et Haussoullier (*Revue de Philologie*, xv, 2); etiam plura contulerunt K-W et B, quem in rebus dubiis plerumque secutus sum; ipse nonnulla olim tentavi, quaedam nunc primum protuli.

Pag. 31, 1 (= pag. 32 K-W; sed non satis causae apparet, cur paginam unam pluresve intercidisse censeamus). Paginae huius partem sinistram et dextram, ectypi in editione prima ordine inverso separatim expressam, coniunxit K. τ]ὰ δὲ [κιβώτια K-W. in medio fere versu ἌΛΟC H-L; ΔΝΔ K-W, B: ΔΙC? [ταῖς φυλ]αῖς [κατα- τίθενται] πρόσθεν [τῶν ἀρχόντων] scripsi, coll. Plat. *Rep.* 618 A (animarum de sortitione) τὰ τῶν βίων παραδείγματα εἰς τὸ πρόσθεν σφῶν θείναι ἐπὶ τὴν γῆν, et pag. 31, 35. 2 πρόσθεν (sic) Hauss., K³, B, litteris θεν obscure scriptis. 3 ἐπιγεγραπται K-W, Hauss., K³; ἐπιγεγραμμένας K¹, -να H-L. 4 τοῦ κ supplēvi coll. 63, 20;

ΔΕΜ

idem suppleverunt ceteri. ΒΛΔΒΩCIN. [τῶν][[τε] δικαστ[ῶ]ν K-W, [τῶ]ν δικαστ[ῶ]ν H-L, K³, οἱ δικαστ[αί] B. 6 ἐπι[γεγρα]μμένον Hauss. (edd.). 7 ἀ[πὸ] supplevi cum K-W (?), H-L, K³, B. 8 διασείσαντος K-W (Hauss., H-L, B).

col. 31, 1—7. τὰ δὲ κιβώτια] These are the 100 boxes arranged in sets of ten; the boxes in each set being distinguished by the first ten letters of the alphabet; the first box contains all the tickets of the first heliastic division, the second those of the second, and so on. Each box is shaken in turn by the attendant, and the presiding official, the θεσμοθέτης, draws one ticket out of each box.

2. τῶν ἀρχόντων] the ten officials mentioned in c. 63, *init.*

7. ἀπὸ τῶν στοιχείων, ex ordine litte-

rarum (Blass).

8. διασείσαντος] Cf. the Homeric κλήρους πάλλιν, *Il.* 7, 171—189; 15, 191; 23, 353—4, 861; 24, 400; *Od.* 10, 206.

9. ἔλκει] *Ἐφ. Ἀρχ.* 1888, p. 114, v. 35, ὁ βασιλεὺς ἐλέκτω τὸν κ[αττίτε]ρο[ν] ἐκάτε[ρο]ν ἐμ[ε] μέρει. Cf. Eustath. p. 675, 53, (Ἑρμοῦ κλήρος) ἦν ὁ ῥηθεὶς κλήρος φύλλον ἐλαίας δ κατὰ τιμὴν τοῦ θεοῦ εἰώθεσαν ἐμβάλλειν καὶ πρῶτον ἀνέλκειν, also Photius *s.v.* Ἑρμοῦ κλήρος (Wyse, *Class. Rev.* v 335 a).

καλεῖ[τ]αι ἐμπ[ήκτης], καὶ ἐμπήγνυσι
 τὰ πινάκια [τὰ ἐκ τοῦ] κιβωτίου εἰς τὴν
 κανονίδα, [ἐφ' ἧς τὸ α]ὐτὸ γράμμα ἔπαστιν
 ὅπερ ἐπὶ τοῦ [κιβωτίου. κληροῦται δ'] οὗτος, ἵνα μὴ αἰεὶ
 15 ὁ αὐτὸς ἐμπ[ηγνύων] κακουργῇ. εἰσὶ δὲ
 κανονίδες [δέκα ἐν] ἐκάστῳ τῶν κλη-
 ρωτηρίων. [ἐπειδὴν δ'] ἐμβάλη τοὺς κύβους ὁ ἄρχων, τὴν
 φυλὴν κα[λεῖ εἰς τὸ κ]ληρωτήριον. εἰσὶ
 δὲ κύβοι [ξύλινοι, μέ]λανες καὶ λευκοί·
 20 ὅσους δ' ἂν δέ[η λαχεῖν] δικαστάς, τοσοῦ-
 τοι ἐμβάλλον[ται λευ]κοί, <οἶον> κατὰ πέντε
 πινάκια εἰς, οἱ δ[ὲ μέλ]ανες τὸν αὐτὸν τρό-
 πον. ἐπειδὴν δ' ἐ[ξαιρῇ] τοὺς κύβους, καλεῖ

11 EN.....C et ENΠΗΓΝΥCΙ: ἐμπήκτης K-W, B; ἐμπ. H-L, K³. 13 ἐφ' ἧς scripsi cum H-L, Hauss. (K², B); ἐφ' ἧ K-W. 14 κιβωτίου scripsi cum Hauss., K-W, H-L, K³. κληροῦται δ' propter sententiam addiderunt K-W, vocis ante lacunam superscriptae vestigia agnovit K. 15 ἐμπ[ηγνύων] ὦν K¹, ἐμπ[ήκτης] ὦν Bywater, (Hauss., H-L, K³); ἐμπ[ηγνύων] K-W, B. 17 ὅταν δὲ H-L. 17, 21, 29 ENB (K-W, B). 19 χα[λκοί] K³ litterarum vestigia valde obscura secutus, [ξύλινοι] K-W (B), color talorum albus et ater cum ligno magis quam metallo congruit; [πολλοί] H-L, [λίθοι] Hauss. 20 λαχεῖν H-L (B), ἐκάστοτε K (Hauss.), εἶναι K-W. 21 <οἶον> κατὰ πέντε B. 23 ἐξαιρῇ B; ἐξέλη Hauss., K-W, K³; an ἐξέλεγε? Wyse, coll. Arist. Eccl. 688 ὅτε δὲ τὸ γράμμα μὴ ἔλκευσθῇ καθ' ὃ δειπνήσει: ἐμβάλη H-L.

TESTIMONIA. Pag. 31, 11 Hesych. ἐμπήκτης· ὁ τὰ δικαστικά γραμματίδια (γράμματα διὰ cod., corr. Musurus) παρὰ τοῦ θεσμοθέτου (θεσμοφόρου cod., corr. K-W) λαμβάνων ὑπὲρ τῆς καὶ πῆσων εἰς τὴν κανονίδα (κανονίδα cod., corr. Iunius). 'errat grammaticus: nam decem sunt e tribulibus ἐμπήκται' K-W. Bekk. An. 258 ἐμπήκτης ὁ θεσμοθέτης.

22 'hinc nati errores in scholio Iunt. ad Ar. Plut. 277 p. 339 b 47 (Dübner)' K-W:—(44) ἔθος οὖν ἀπὸ (45) πασῶν τῶν φυλῶν δικαστὰς καθίζειν· εἴτα ἀπὸ (46) μιᾶς ἐκάστης ἐλάμβανον ἄνδρας πέντε τοὺς ἐπισημοτέρους· (47) καὶ πάλιν ἐκ τῶν πέντε ἕνα τὸν κλήρω λαχόντα ἐποίουσαν δικάζειν.

11. ἐμπήκτης] This designation is here applied, not to the θεσμοθέτης (as supposed by Hesych. and Bekk. An.), nor to the ὑπὲρ τῆς. There is a separate ἐμπήκτης taken by lot from each heliastic division.

13. κανονίδα] probably a wooden frame fitted with a number of 'straight rules' or parallel ledges (κανόνες), stretching horizontally across it. We may suppose that the upper surface of each of these ledges was grooved and that each πινάκιον, as it was drawn, was inserted with its lower edge in the groove. In each κληρωτήριον, or balloting chamber, there were ten of these frames, one for each of the heliastic divisions.

14. κληροῦται] not mid. but pass., 'is

chosen by lot.' The object of this, as we are told, is to prevent the jobbery that might arise, if the ἐμπήκτης were always the same and were therefore known beforehand.

19. κύβοι] wooden dice (or lots) of two colours, black and white, but differing from ordinary dice by not being marked with any pips. One out of every five lots was white, the rest black. The number of white lots is equal to the number of dicasts required. The archon draws the lots in succession; if the first lot is white, the bearer of the name on the first πινάκιον is considered to have drawn the lot to serve as dicast, and so on; the names of these dicasts are then called out.

τοὺς ἐλληχότας ὁ [ἄρχων]. ὑπάρχει δὲ καὶ ὁ ἐμ-
 πῆκτης εἰς [ὦ]ν [αὐτῶ]ν. ὁ δὲ κληθεὶς καὶ
 ἐλλη]χ[ὼς] ἔλ[κ]ει [βάλανο]ν ἐκ τῆς ὑδρίας,
 καὶ *[π]ρο[δεί]ξας αὐτῇ[ν *ἀνέχ]ων τὸ γράμμα, δ[εῖ-
 κυσιν προ[οσελθών] τῷ ἄρχοντι τῷ ἔ[φ]εσ-
 τηκότι. ὁ δὲ [ἄρχων ἐπειδὴ]ν ἴδῃ, ἐμβάλλει τὸ
 πινάκιον α[ὐτοῦ εἰς τὸ κ]ιβώτιον, ὅπου
 ἂν ᾗ ἐπιγεγραμ[μέν]ον τὸ αὐτὸ στοιχεί-
 ον ὅπερ ἐν τῇ βαλ[άνφ, ἴ]ν' εἰς οἶον ἂν λάχῃ
 εἰσίῃ καὶ μὴ εἰς ο[ἶον] ἂν βούληται, μηδ' ἐ[ν-
 ῇ συνάγειν [εἰς] δικαστήριον οὓς ἂν
 βούληταί τις. π[αράκει]ται δὲ τῷ ἄρχοντι κι-
 βώτια, ὅσ' ἂν ἀεὶ [μ]έλλῃ τὰ δικαστήρι[a
 πληρωθῆσθαι, [ἔχ]οντα στοιχεῖον ἑ-
 καστον, ὅπερ ἄ[ν ᾗ] τοῦ δικαστηρίου ἐκάσ-
 ol. 32.] του] εἰχ — — — — —
 ὑ]πηρέτῃ εἰ — — — — — ΝΩ

24 ἀρχων κ-ω, κ³, β; ὑπηρέτης κ¹, η-λ, Hauss., adversante spatio. **25** εἰς
 [ὦ]ν [αὐτῶν] β; εἰς αὐτῶν vel εἰς αὐτῶν ἀκλήρωτος desideraverat Paton; εἰς τὸν [τόποι] κ.
26 [εἰλη]χ[ῶς] β; non χ sed E legebat κ; παρυστῶς fortasse scribendum; omnia in-
 certa puncta κ-ω. ἔλκει dubitanter agnoscit κ. **27** καὶ .ρο.ξας κ³, καίτρο .ξας κ-ω; fortasse προδείξας scribendum.ων edd.; ἀνέχων supplēvi. **28** πρῶτ[ον
 μὲν] κ, η-λ; πρῶτ[η] (προτείνας) κ-ω; πρ[οσελθῶν] β. **29** τοῦτο ἐπειδὴν Hauss.,
 η-λ. ενβ (κ-ω, β). **30** ὅσθεν η-λ. **31** restituerunt Hauss., κ-ω, κ³, β. ΛΥΤΟΥΣΤΟΙΧΕΙΟΝ: αὐτὸ στοιχεῖον Richards et Herwerden (edd.). **32** ὡ
 Hauss. (κ-ω, κ³). **33** ΕΙΣΕΙΗ. [οἶ]ο ν̄ αν κ-ω (κ³, β). ΒΑΛΗΤΑΙ (suprascr.
 οὔληται). post μηδὲ aliquid scriptum fuisse videtur; μηδὲ [ἐν]ῆ κ, κηδ̄ [ἐν]ῆ malui;
 οὐκ ἐξ[ῆ] Hauss. μηδὲξ̄ β. **34** CΥΝΑΓΑΓΕΙΝ (supra scr. ΓΑΓ); συναγαγεῖν κ¹, β;
 συνάγειν κ-ω, κ³. εἰς η-λ, β; εἰς τὸ Hauss., κ-ω, κ³. **36** αἰ Herwerden,
 Hauss., (edd.); ὅσαπερ expectabant κ-ω. **37** ΝΤΑΣΤΟΙΧΕΙΟΝΕ.

Pag. 32. Etiam haec pagina in partes duas sinistram et dextram discerpta; in medio litterae complures exciderunt. 1 ε|χ . . π|λ . γ (supra scr. ε) κ-w. 2 ω|ϙ . . ν|ω
 K-W.

26. **βάλανον** κτλ.] The dicasts having now been determined, it has still to be settled in which court each is to sit; each of them, when called, draws out of the urn a ballot marked with a letter denoting one of the courts and shews it to the presiding official, who now puts the ticket of the dicast concerned into the box marked with the same letter as the ballot which the dicast has drawn. The number of these boxes is as many as the number of courts that are to sit

on the day in question. This ensures the dicast's taking his seat in the court he has actually drawn, and makes it impossible for him to choose his own court or to arrange to sit in the same court with certain others who are drawn as dicasts.

36. ὅς' ἄν—πληρωθήσεται] See note on c. 63, 11. These passages shew that (as in Ar.) the future, as well as the present, is found after μέλλειν in the 'Αθ. πολ.

. ως ὁ δὲ ὑπὲρ[έτης δίδωσιν αὐτῷ βα]κτηρίαν
 ὁμόχρων τῷ [δικα]στηρίῳ ἐφ' οὗ τὸ αὐτὸ γράμμα
 5 ὅ]περ ἐν τῇ βαλάνῳ, ἵ[να ἀναγ]καίον ᾖ αὐτῷ
 ἐ]ισελθεῖν εἰς [τὸ] εἰς[τοῦ δικαστ]ήριον· εἰς γὰρ
 ἐ]ἰς ἕτερον εἰ[σίη, ἐξελέγχεται ὑπὸ τοῦ] χρώμα-
 τ[ο]ς τ[ῆς βακτηρίας. [τοῖς γὰρ δικαστ]η[ρί]οις χρώ-
 μ[α]τ[α] ἐπιγέγραπ[τ]αι *πᾶσιν ἐπὶ τῷ σφῆ-
 10 κ[ίσκῳ] τῆς εἰς[όδου]. [ὁ δὲ λαβὼν τὴν] βακτηρί-
 αν] βαδίζει εἰς [τὸ] δικα[στήριον τὸ] ὁμόχρων
 μὲν τῇ βακ[τηρί]ᾳ, ἔ[χον δὲ τὸ αὐτὸ] γράμμα
 [ὅπερ] ἐν τῇ βαλάνῳ. ἐπ[ειδὲν δ' εἰσέ]λθῃ, παραλαμ-
 βάνει σύμβολον δη[μοσί]α παρὰ τοῦ εἰλη-

3 OC K, K-W (?), H-L. 3—7 restituerunt K-W, coll. Bekk. *An.* 220. 4 [τῷ
 ἔχοντι] τὸ αὐτὸ γρ[ά]μμα K-W; [ἐφ' οὗ τὸ αὐτὸ γρ]άμμα B suadente spatio. 5 ᾖ :
 ἦν K. 6 αὐτοῦ K-W, ἑαυτοῦ B. 8 "rectissime Hemsterhusius pro
 χρώμα rescribi vult γράμμα, id quod vel adiunctum verbum postulat. Quis enim,
 inquit, Graece sciens dicat ἐπιγράφειν χρώμα?" Schömann, *Opusc. Acad.* i 208.
 9 M[α]τ[α] : (χρώματα K); χρώμα K-W (B) e schol. Ar. ἐκάστῳ propter spatium K-W
 (B); ἐφ' ἐκάστῳ K e schol. Ar.; propter hiatum scripsi πᾶσιν. 14 CYNΒΟΛΟΝ
 K-W, B.

Pag. 32, 3—15 Bekk. *An.* 220 βακτηρία: ὁμόχρωμοι τοῖς δικαστήρις ἐδίδοντο βακτη-
 ρίαι, ἵνα ὁ λαβὼν οἰοῦντο χρώματος βακτηρίαν εἰς τὸ ὁμόχρωμον εἰσέλθῃ δικαστήριον καὶ μὴ
 εἰς ἕτερον πλανᾶται διὰ τὸ πολλὰ εἶναι τὰ δικαστήρια.

Suidas (*e lexico Photiano) βακτηρία καὶ σύμβολον. οἱ λαχόντες δικάζειν ἐλάμβανον
 παρὰ τῶν δημοσίων ὑπηρετῶν σύμβολον καὶ βακτηρίαν καὶ οὕτως ἐδίκασον. τὴν χροῶν δὲ
 ὁμοίαν εἶχε τῇ βακτηρίᾳ τὸ δικαστήριον. τὸ μέντοι σύμβολον μετὰ τὴν κρίσιν ἀποδιδόντες
 ἐκομίζοντο τριῶβον· ὅπερ καὶ δικαστικὸν γέγονεν. Cf. Bekk. *An.* 185, 4: ῥάβδον
 κατεῖχον οἱ δικάζοντες, καὶ σύμβολον ἐλάμβανον ἀντιδιδόντες διὰ τὸ κομίσασθαι τὸ τριῶ-
 βον. Lex. Dem. Patm. p. 144. Schol. Arist. *Vesp.* 1110 ἐδίδοντο δὲ καὶ βακτηρία
 τοῖς δικασταῖς ὁμόχροι τοῖς δικαστήρις, ὅπου ἕκαστος εἰσελθὼντας δικάζειν ἔδει, ἵνα τὸν
 διαμαρτάνοντα ἀπελέγξῃ τὸ χρώμα. Pollux viii 16.

Pag. 32, 8—15 *Schol. Arist. *Plut.* 278 (om. cod. Ravennas et cod. Venetus) περὶ
 τοῦ παραδιδόμενου τοῖς εἰσιούσιν εἰς τὸ δικαστήριον συμβόλου Ἀρ. ἐν τῇ Ἀθ. πολ. οὕτω

col. 32, 3. ὁ δὲ ὑπηρετής] The attend-
 ant gives the dicast a small staff of the
 same colour as that assigned to the court
 in which he is to sit. The colour on the
 staff is thus substituted for the letter on the
 ballot, as it is obviously easier for the
 doorkeeper to see that each dicast, as he
 files in, has a staff of the right colour
 than one marked with the right letter.

βακτηρίαν] Dem. *de Cor.* § 210 quoted
 on c. 63 § 2.

4. ὁμόχρων] Each of the courts is
 marked outside with the colour corre-
 sponding to that on the several staves.
 We read in Paus. i 28 of two courts that
 derived their name from their colour:
 τὸν (τὸ Schöm.) μὲν οὖν καλούμενον Παρα-
 βύστιον καὶ Τρίγωνον, τὸ μὲν ἐν ἀφανεί

πόλεως ὄν, —τὸ δὲ ἀπὸ τοῦ σχήματος ἔχει
 τὸ ὄνομα· Βατραχιοῦν δὲ καὶ Φοινι-
 κιοῦν ἀπὸ χρωμάτων. Cf. Schömann,
Opusc. Acad. i 226.

9. σφηκίσκῳ] 'the lintel,' *supercilium
 januae*, Steph. *Thesaurus*, vii 1606 Paris.
 Cf. CIA iv 3, 225 c, p. 168, σφηκίσκοι ἀπὸ
 τῆς στοᾶς καθηρημένοι (at Eleusis).

14. σύμβολον] Dem. *de Cor.* quoted
 on c. 63 § 2 βακτηρία, and Arist. *Plut.* 279
 quoted *ib.* § 4 πινάκιον. Cf. Etym. Mag.
 s. v. δ ἐλάμβανον οἱ δικασταὶ εἰς τὸ δι-
 καστήριον εἰσιόντες· ἔλτα τοῦτο δόντες, τὸ
 δικαστικὸν ἐκομίζοντο.

It has been proposed to identify with
 these σύμβολα certain leaden counters
 stamped on the one side with a design
 resembling that used for the reverse of a

χό]τος ταύτην τὴν ἀρχήν, *κα]τὰ [τ]ὴν τάξιιν ἀπο- 15
 δοῦ]ς* τὴν βακτηρίαν τῆς [*τὸν
 α]ὐ[τὸν] τρόπον ἑστοικῶ . . ὦ —
 λα]γ[χ]άνουσ[ι] δι οἰκεῖαπεργκρ —
 τὰ] πινάκια. οἱ δὲ ὑπηρέται οἱ δημοσία [*ὑπὲρ
 τῆ]ς φυλῆς ἐκάστης π[αραδι]δόασιν τὰ κ[ι- 20
 βώ]τια, ἐν ἐπὶ τὸ δικα[στηρ]ιον ἑκαστον, ἐ[ν
 οἷ]ς] ἐστὶν τὰ α . . [τῆ]ς φυλῆς τὰ ὄντ[α
 ἐν ἐκάστῳ τ[ῶν δι]κα[στηρί]ων. παραδιδόα[σι
 δὲ τοῖς εἰληχ[ό]σιν ἀποδι]δόναι τοῖς δι[κασ-

15 versus in fine ἐπειτα [τ]ὴν τε — B; . . τα.ην τα... K³; scripsi [κα]τὰ [τ]ὴν τάξιιν ἀποδοῦ]ς coll. 37, 1—4. 16 post lacunam ρα... τῆς K³; ραταγτῆς K-W.

τὸν supplevi. 17 versus in initio τὸν] αὐ[τὸν] τρόπον . . ἵπε K-W. 18 τοδι

K³. Post lacunam οἰκ... περ. K. K; οἰκεῖαπερ K-W. 19 πινάκια agn. K-W (K³). οἱ δὲ ὑπηρέται B (K³). οἰδημοσία (deleto α et suprascr. ω?) δι . . B; δημοσίαις K-W. Versus in fine ὑπὲρ scripsi, quod manus tertia per compendium ὕ indicat, cf. p. 21, 24, p. 23, 22. 20 π[αραδι]δόασιν B; ἀ[ποδι]δόασιν K-W, K³; scriptura incerta. 20—21 τὰ κιβώτια B (K³): τα[ῖς]... K¹, K-W. 21 ἐν ἐπὶ τὸ K-W (K³, B). 21—22 ὁπ[όσ]τ[α] ἐστὶν K-W. 22 An τὰ [πιν]ά[κια]? τὰ ὄντ[α] K-W (K³, B). 23 restituerunt K-W (K³, B). 24 π[αρ]α[δι]δόναι K-W (K³); ἀποδιδόναι B.

γράφει “ τοῖς γὰρ—ἀρχήν ” (8—15). Frag. 490², 460³. Cf. Schol. Iunt. ad v. 277, p. 340 a 40 τοῖς λαχοῦσι δικάσαι εἰσελθοῦσιν ἐκάστῳ σύμβολον διδοται δημόσιον παρὰ τῆς ἐπὶ τούτῳ εἰληχίας ἀρχῆς, ὧν οἱ ἐξιόντες καὶ τοῦτο προσφέροντες λαμβάνουσιν τὸν δικαστικὸν μισθόν, ὃ 4 ἐδίδου δὲ ὁ κῆρυξ αὐτοῖς ῥάβδον, ἥτις ἦν σύμβολον τοῦ δικάζειν, ἵνα ἑκαστος καθ’ ἐσπέραν ἀποδιδούς τῷ πρυτάνει τὴν ῥάβδον τριώβολον λαμβάνῃ μισθὸν τῆς δικάσεως.

τριώβολον, and on the other with one of the first ten letters of the alphabet (Benn-dorf, *Zeitsch. f. d. Oesterr. Gymn.*, 1875 p. 601). See figs. 4 and 5, frontispiece.

The fact that letters after κ are not found on these counters shews that the letters do not indicate the courts, but the heliastic divisions. If the courts had ten entrances each, these would correspond to the heliastic divisions, and all who left the court by the proper exit would receive counters marked with the letters corresponding to their own division. They would take these to the place where they had had their court allotted to them, and there receive payment in the chamber in which the allotment took place (col. 37 ult.).—In c. 63, 3, if the text is correct, the courts are actually described as having ten entrances, each of them, however, corresponding to one of the tribes, and not to one of the heliastic divisions.

15. τὴν ἀρχήν] The official's title is not given. According to an inscr. of B.C. 341/0 (*Mittheil. d. arch. Inst.* vii 103), the διάδοσις τῶν συμβόλων in the ἐκκλησία

was entrusted to the συλλογεῖς τοῦ δήμου (Rose, *Frag. ed.* p. 299 n). Schömann, *Opusc. Acad.* i 206, suggests either the κωλακρέται or the officials presiding over the trial, inclining to the latter; but it seems more probable that the σύμβολα were distributed by a person of less importance than the presiding officials, perhaps by a ‘public slave’ (*Att. Proc.* p. 162 Lips.). In the time of Aristophanes it was the κωλακρέται who paid the dicasts their fee of three obols: Schol. *Av.* 1541; *Vesp.* 695; Bekk. *An.* 275, 22; *lex. rhet. Cant.* 672, 15. But there is no proof of the existence of the κωλακρέται after 403 B.C.

16. βακτηρίαν] This line must have stated something about the dicast's delivering up his βακτηρία in exchange for the σύμβολον.

19—24. The tickets belonging to the dicasts in each court have been sorted out into ten boxes; these boxes are taken by the attendants of each ‘tribe,’ and handed over to the proper officials at the ten entrances of the court, to be re-

- 25 ταῖς ἐκάστω — α — — — [τ]ῷ ἀριθμῷ τ[ῶ]ν
 παρὰ τῷ α . . . τούτου γν . . . ς ἀπο[δί-
 δωσι τὸν [μισ]θόν. γ[ί]γνεται δὲ πάντα [ταῦτα
 κατὰ δικαστήρια τρ εντω — —
 δικαστήριον [ῆ] δ[ε]κασ[τή]ρια καὶ — — ων
 30 ἔ[π]ειτ' ἐπὶ τὰ — — — — — κ
 καὶ ἕτεροι κύ[βο]ι ἐν οἷς τῶν ἀρχ[ῶ]ν τι
 τωε — — — — — το . . τῶν [θεσμο-
 θετῶν — — — — — ογς τοὺς κύ[βους
 βάλλουσιν ὁ πεντ πρ — — [δικασ-
 35 τήριον. ὁ δὲ τῶν ἀρχ[όν]των — —
 . . . ἀδ τη α ἀρχῶν ε —
 — — — κηρυ — . — — —
 (α) ἀρχων τ — — — — — ρ . . (β)
 δευτερο . καὶ . — — — — — να . .
 δεμία ἡμέρ[α — — — — — αλ . .
 λ]ιανὰ . εἰεκα — — — — — οδε .
 5 μ]ῇ ὥσει . . . ν — — — — — σιν.
 όταν ἡ ἀρχὴ α . α — — — — — κλη[ρω-
 τηρίῳ ἐκάστω — — — — — κιβ[ω-
 τίου πινάκιον — — — — — εις [έ-
 κάστης τῆς φυ[λ]ῆς — — — — — ια . .
 10 ἕτερον κενόν — — — — — του . .
 τοὺς πρώτους δ — — — — — εἶτο[ύ]-
 δωρ τέτταρας — — — — — ους . .

[Col. 3

25 ΕΚΑΣΤΩΙ vel ΕΚΑΣΤΩΝ. 26 παρὰ τῷ α...τούτου...ν...ς K³; παρὰ
 τῶν...το. το...ον...ν (suprascr. c) K-W; versum intactum reliquit B. 27 τὸν
 μισθόν K-W (K³, B). post πάντα τ K-W, π K¹. 28 versus in fine N dis-
 pexit K; 29 versus in fine κ (K). 30 κειν εἰτ' ἐπὶ τὰ K; ΕΙΣΙΠΤΕΠΙΤΑ K-W;
 ἔ[π]ειτ' ἐπὶ τὰ B. ...ται (και K-W)...ε...καὶ...K. 31 τῶν ἀρχῶν τι? K-W;
 τῶν ἀρχῶν τ... K. 32 τῷ ε...ετα...το...τῶν [θεσμο]θετῶν K; 36 ...δαν...
 τηα...ν ἀρχῶν K; . ιδα...θηα...ων ἀρχωνε K-W.

Pag. 33. Fragmenta *a* et *b* una collocarunt K-W; in nonnullis certe versibus
 (6, 7, 18) litterae extremae cum subsequentibus congruunt. 3 .εμα...σι K³.
 5 init. .ως K³. 6 ΤΑΣΠΑΡΑΛΑΜ K-W; .ται ἡ ἀρχὴ K. 12 δωρ τέτταρας
 K-W (K³); [ῥ]δωρ τέτταρας B.

turned by them to the dicasts to whom they belong.

26, 27. ἀποδίδωσι τὸν μισθόν] At this point we have mention of the official paying the *τριώβολον*.

27, 28. γίγνεται—δικαστήρια] Dem. 23 § 63, ταῦτα πάντα ἐπὶ πέντε δικαστηρίοις γίγνεται προστεταγμένα τοῖς νόμοις (Blass).

31. ἕτεροι κύβοι] The purpose of this fresh set of 'dice' or 'lots,' as distinguished from those of col. 31, 19, is not clear. Possibly they were used to distribute the superintendence of the courts among the thesmothetae (or some other officials).

μηδεὶς παραφυ	— — — — —	τον χ.	
ὑδωρ μήτε τον	— — — — —	τω ..	
.. ἤτα πορίσα ..	— — — — —	αμη ..	15
..... λαχοντ		τουτ ..	
ἀπολαμβάνου[σι		ακαθο ..	
τὸν μισθὸν		οὗ ἔκ[ασ-	
ται αἱ φυλαὶ [ἔ]λα[χον	— — —	[ἔπει-	
δὲν δικάσωσι	— — — — —	εκα	20
δια . ἄτον νο	— — — — —		
τοῦ τε συνη	— — — — —		
ταῦτα δ' ἐπι	— — — — —		
ἔταν μὲν τα	— — — — —		
τῷ ἀριθμῷ	— — — — —	δ — —	25
.. τοῦ νόμο[υ	— — — — —	σι — —	
εἰς αὐτὸ τὸ π[ράγμα	— — —	. νοτι — [βα-	
σιλεὺς	— — — — —	εμ[ι]α —	
ci . εἰσι δ	— — — — —		
κρους τι	— — — — —		30
.. τας	— — — — —		

(sequuntur versus fere sex prorsus evanidi)

col. 34.] (a) (desunt versus decem)

... Η — — — — —
 .. κῡρ — — — — —
 — — — — —
 — — — — — (b) — — — — —
 . ONTI | ΚΑΙΟΠ — — — — —

15

15 .. ἤτα... ἀρεσ κ, ... ἤτα. παρ. σα (vel τα) κ-ω.

21 δια τα τον κ³;

δια . λ . ΔΙΟΠ κ-ω (litteram tertiam et quartam inductam putat B, qui διὰ τὸν νόμον conicit). 22 τοῦτο συν κ; τοῦ τε συνηγόρου? κ-ω. 23 ταῦταῦτοῦ κ-ω;
 ταῦτα ὑπὸ κ³.

Pag. 34. Fragmentum a paginae 33 fragmento b adhaeret. Frustulum b ex incerta coniectura adiunxit B. 15—23 (B)=p. 78, col. 34 b 18—25, et p. 79 b 1—9 (κ-ω): illud non descripsit κ; hoc dedit in p. 199, col. 34, frag. 2 (κ³).

col. 33 a 17—19. Cf. col. 37 ult.

27. εἰς αὐτὸ τὸ πρᾶγμα] Dem. 57 *Eubul.* 7, εἰς αὐτὸ τὸ πρᾶγμα πάντα λέγειν, and 60, ἐρῶ δ' εἰς αὐτὸ τὸ πρᾶγμα. As the archon βασιλεὺς is apparently mentioned in the next line, the present passage refers to the procedure before the Areopagus, in which irrelevant matter was excluded: *Rhet.* i 1, 5, κωλύουσιν ἔξω τοῦ πρᾶγματος λέγειν, καθάπερ καὶ ἐν Ἀρείῳ

πάγῳ, Lycurg. *Leocr.* 12, 13, μὴ ἐπιτρέπειν τοῖς ἔξω τοῦ πρᾶγματος λέγουσιν (with Rehdantz, p. 126 and Meier and Schöm. p. 933 Lips.). On the other hand, the mention of ὑδωρ in ll. 12, 14 suggests that the text may refer to the procedure in a γραφή παρανόμων, Aeschin. 3, 197, τὸ δὲ δεύτερον ὑδωρ τῷ τὴν γραφήν φεύγοντι καὶ τοῖς εἰς αὐτὸ τὸ πρᾶγμα λέγουσιν.

ἀναγι<γ>ν[ώσκεισθαι . ἐπειδὴν δὲ ἡ πρὸς] διαμε-
 μετρη[μένην τὴν ἡμέραν ὁ ἀγών, τότε] ε δὲ οὐ[κ] ἐ-
 πιλαμβ[άνεται — — — — — ν ὕδωρ 5
 τῷ τε κα[τηγορ- — — — — —
 διαμετ[ρ — — — — — [Ποσι-
 δεῶνος — — — — — [μα-
 κρῶν τῷ[ν — — — — —
 . τακτο — — — — — αγρα . . 10
 (c) δι[κ]αι — — — — — ε[ίστ]ιν δὴ [ἐ-
 καστοι λ — — — — — κατήγ]ορος

6 τῷ τε κατηγόρῳ ? K-W. 8 ε suprascr. Ποσιδεῶνος K-W. In CIA Ποσιδεῶν
 (syllaba secunda brevi) quattuordecim in locis scriptum (Meisterhans, p. 42²).
 9 χρωNT K, K-W.

Pag. 35 a 3 *Harp. διαμετρημένη ἡμέρα: μέτρον τί ἐστὶν ὕδατος πρὸς μετρημένον
 ἡμέρας διάστημα ρέον. ἐμετρεῖτο δὲ τῷ Ποσιδεῶνι (melius Ποσιδεῶνι) μηνί· πρὸς δὴ τοῦτο
 ἡγωνίζοντο οἱ μέγιστοι καὶ περὶ τῶν μεγίστων ἀγῶνες. διενέμετο δὲ τρία μέρη τὸ ὕδωρ,
 τὸ μὲν τῷ διώκοντι, τὸ δὲ τῷ φεύγοντι, τὸ δὲ τρίτον τοῖς δικάζουσιν. ταῦτα δὲ σαφέστατα
 αὐτοὶ οἱ ῥήτορες δεδηλώκασιν, ὥσπερ καὶ Αἰσχίνης ἐν τῷ κατὰ Κηφισοφῶντος (§ 126).
 Ἄρ. δ' ἐν τῇ Ἀθ. πολ. διδάσκει περὶ τούτων... (Frag. 423², 463³).

Schol. ad Aeschin. 2 § 126 "πρὸς ἑνδεκα γὰρ ἀμφορέας ἐν διαμετρημένη τῇ ἡμέρᾳ
 κρίνομαι": φασὶν ὅτι τὰς ἡμέρας τοῦ Ποσιδεῶνος μηνὸς ἐπιλεξάμενοι (ἐκλεξ. K-W) οἱ
 Ἀθηναῖοι ὡς συμμετροῦς καὶ δυναμένας κατέχειν ἑνδεκα ἀμφορέας, πρὸς αὐτὰς καὶ ταῖς
 ἄλλαις ἡμέραις (τὰς ἄλλας ἡμέρας cod., corr. Sauppe) ἐσκεύαζον τὴν κλεψύδραν, μέγαλου
 πράγματος δηλονότι ἡγωνιζομένου (γυμναζομένου cod., corr. K-W). ἀπενέμεντο δὲ οἱ
 ἑνδεκα ἀμφορεῖς κατὰ τὸ τρίτον τοῖς ἀντιδίκους καὶ τοῖς δικασταῖς. Aliud schol. τοῖς περὶ
 τῶν μεγίστων ἀγωνιζομένοις διηρεῖτο ἡ ἡμέρα καὶ ἐδίδοτο αὐτοῖς ἡμισὺ μὲν τῷ κατηγόρῳ,
 ἡμισὺ δὲ τῷ ἀπολογουμένῳ, καὶ διεμετρεῖτο τὸ ὕδωρ ὅσον ἐπαρκεῖ εἰς τὰς ὥρας τοῦ ἡμῖσου
 μέρους τῆς ἡμέρας. τοῦτο δὲ ἀπὸ μιᾶς ὥρας. Hesych. διαμετρημένην ἡμέραν· ἐπὶ τῶν
 μεγάλων δικῶν τὴν ἡμέραν ἐμέριζον εἰς διαστήματα.

col. 35, 3, 4. διαμετρημένην] Dem.
 F. L. p. 378, πρὸς διαμετρημένην τὴν
 ἡμέραν, Aeschin. 2, 126, πρὸς ἑνδεκα γὰρ
 ἀμφορέας ἐν διαμετρημένη τῇ ἡμέρᾳ κρί-
 νομαι.

6. τῷ τε κατηγορ-] Aeschin. 3, 197
 (in a γραφῇ παρανόμων the day was di-
 vided into three parts), ἐγγχεῖται γὰρ τὸ
 μὲν πρῶτον ὕδωρ τῷ κατηγόρῳ καὶ τοῖς
 νόμοις καὶ τῇ δημοκρατίᾳ, τὸ δὲ δεύτερον
 ὕδωρ τῷ τὴν γραφὴν φεύγοντι καὶ τοῖς εἰς
 αὐτὸ τὸ πρᾶγμα λέγουσιν (col. 33 a 27)...
 τὸ τρίτον ὕδωρ ἐγγχεῖται τῇ τιμῇ.

7, 8. Ποσιδεῶνος] The use of the κλεψ-
 ὕδρα in courts of justice is mentioned in
 Arist. *Ach.* 692, *Vesp.* 93, 857, and in
 the Orators, Dem. *de Cor.* 139, ἐν τῷ ἐμῷ
 ὕδατι, c. *Leoch.* 45, ἐὰν ἐγγχωρῇ τὸ ὕδωρ.
Steph. i § 8, c. *Conon.* 36 ἐπὶλαβε τὸ ὕδωρ,
 and (at the end of a speech) *pro Phorm.*
 ἐξέρα τὸ ὕδωρ. The structure of the
 κλεψύδρα is described in Ar. *Probl.* 16, 8.

It was observed that the length of a

short day in one of the winter months was
 equivalent to the time in which eleven
 ἀμφορεῖς successively could be emptied of
 their water. The standard adopted was
 a day in the month of Poseideon (Dec.
 —Jan.). To ensure perfect accuracy it
 would be necessary to make allowance
 for the fact that the rate at which the
 water flowed would depend on its tempe-
 rature (cf. Athen. p. 42; Plut. *Quaest. Nat.*
 c. 7). I learn from Mr J. Larmor that,
 when the level of the water in a water-
 clock is maintained constant, the rate at
 which it percolates through narrow tubes
 or pores of any form depends only on
 the degree of viscosity of water. Ac-
 cording to the experiments of Poiseuille
 (*Mémoires de l'Institut*, x), the rate of
 percolation is increased by about one-
 thirtieth for each degree Centigrade of
 rise in the temperature. Thus a rise of
 1°C. should make a water-clock go faster
 by about two minutes every hour.

- (c) σπεύδοι — — — — — ρος ἔξω- (b)
 θεῖν τοὺς — — — — — τ]ὸ ὕδωρ
 15 λαμβαν — — — — — ἐπει . . εἴ
 ρος τοῖς δ — — — — — ἀ]γῶ[σ]ιν
 ἐν δὲ τοῖς — — — — —
 τ]ῷ διαψη[φι — — — — — Δ . . . Δ
 ἐ]πὶ τοῖς — — — — — τοῖς πρόσ-
 20 ἐ]στι δεσμ[ὸς — — — — — δ]ήμενσις
 χ]ρημάτων — — — — — ὅ]τι χρῆ πα[θε]ῖν
 (d) ἡ | ἀποτεῖ[σαι — — — — — δικ]αστηρίων
 ἐστι — — — — — ν τινι ὅταν
 δεδε — — — — — εἰ]σαγαγεῖν
 25 συν — — — — — ἸΑΝΗΝΗΜ —
 ΤΑΛ — — — — —
 ΤΡΙΔ — — [ψῆφοι δὲ εἰσι χαλκαῖ], αὐλίσ-
 κον [ἔχουσαι ἐν τῷ μέσῳ, αἱ μὲν ἡ]μίσειαι τε-
 τρυ[πημέναι, αἱ δὲ ἡμίσειαι πλήρεις· οἱ] δὲ λα-

c 14 γ supra v. δ 18 λ et Δ supra v. 20 ECCI pr. 22 'H est in d, ΔΠΟΤΙ in c' v. 23 'post ἐστι sequebatur numeri nota, bipartita ut vid.' v.
 23 δ ΝΗΝΟΤΑΝ K-W. 25 δ ΦΑΝΗΝΑΙ K-W, ἐν γὰρ μὲν K. d 27—35 ex Harp. restituit K. 28 ΜΙCΙΔΙΔΙ.

28 *Harp. *τετρυπημένη*: Δίσχινος κατὰ Τιμάρχου (I § 79, τῶν ψήφων ἡ τετρυπημένη, ὅτῳ δοκεῖ πεπορνέσθαι Τιμάρχον, ἡ δὲ πλήρης, ὅτῳ μὴ). 'Αρ. ἐν 'Αθ. πολ. γράφει ταυτί· "ψῆφοι—λαμβάνωσιν." Codices meliores, ABCD, post πλήρεις in v. 29 inserunt μήτε ταύτη (ταῦτα Δ) ὑπομείνας: quae depravata esse ex μήτε πάντη τετρυπημένης (vel potius ex μήτε τετρυπημένης) in v. 34 indicat Dind. In v. 34 post πλήρεις habent A et B μήτε ταύτη (C ταύτας), in Δ etiam lacuna significata: in archetypo igitur erant μήτε ταύτη λαμβάνωσιν, unde in deterioribus codd. exorta μήτε πάντη τετρυπημένης (K-W). πάντη om. ETD et Photius; ταύτη apud Suidam in codd.

Phot. *τετρυπημένη*: τῶν ψήφων οὐσῶν χαλκῶν καὶ αὐλίσκων ἔχουσῶν αἱ μὲν ἦσαν τετρυπημέναι, αἱ δὲ πλήρεις [ἀτρυπητοὶ] ὅσαι ἠφίσταν τοὺς κρινόμενους. Bekk. An. 307 tet. ψήφος: τῶν ψήφων οὐσῶν χαλκῶν καὶ αὐλίσκων ἔχουσῶν αἱ μὲν ἦσαν ὅσαι τετρυπημέναι, ὅσαι κατεψηφίζοντο, αἱ δὲ πλήρεις [ἀτρυπητοὶ] ὅσαι ἠφίσταν τοὺς κρινόμενους... (Frag. 424², 464³). Pollux viii 123 ψήφους δ' εἶχον χαλκᾶς δύο, τετρυπημένην καὶ ἀτρυπητον. Bachmann *Anc.* ii 333, 15—25 et 373, 1—10.

27. ψῆφοι — τετρυπημέναι—πλήρεις]

In Aeschin. c. *Timarch.* 79, the berald standing by the side of the orator is described as proclaiming that of the two votes given to each dicast, that which was perforated, τῶν ψήφων ἡ τετρυπημένη, ὅτῳ δοκεῖ κτλ., was the vote of condemnation; that which was not, the vote of acquittal, ἡ δὲ πλήρης, ὅτῳ μὴ (with Schol.). Cf. Plut. *Lyc.* 12, τῆς τετρυπημένης (ψήφου).

These ψῆφοι are identified with certain small discs of bronze which have been found at Athens, pierced with a short

metal stem. In the two specimens given in figs. 6 and 7 this stem, the αὐλίσκος of the text, is in one case perforated, in the other not: the former is clearly a ψήφος τετρυπημένη, the latter a ψ. πλήρης. On one side of the disc are the words ψήφος δημοσία, on the other is punched a letter of the alphabet (Γ or Κ in the only two specimens at present known to us). These letters probably correspond to those of the heliastic divisions (A to K). Cf. Meier and Schöm. p. 936 Lips., and Daremberg and Saglio, iii 196.

(d) χόντες [ἐπὶ τὰς ψήφους, ἐπειδὴν εἰρημέ]νοι (δ) 30
 ὧσιν [οἱ λόγοι, παραδιδόασιν ἐκάστῳ τ]ῶν
 δικαστ[ῶν δύο ψήφους, τετρυντημένη]ν καὶ
 πλήρη, [φανερὰς ὅρᾱν τοῖς ἀντιδίκους, ἵ]να μή-
 τε πλ[ή]ρεις μήτε τετρυντημένας ἀ[μφο]τέρας
 λαμβ[άνωσιν] — — — — — [λ]άχω[σιν] 35
 ἀπολα Μ. ΙCΟΜ. . .
 ψηφίζ ΔΚΟ. . .

col. 36.] του γ ἀποδιδ[ῶν· ἐὰν γ]ὰρ γ λαμβ[β]άνη, [γ] ψηφί-
 ζοντα]ι πάντες· ο[ὗ γὰρ] ἔστι λα[μβάν]ει[ν] σ[ύ]μβολον
 οὐδεν]ί, ἐὰν μὴ ψηφίζηται. εἰσὶ [δ'] ἀμφορεῖς
 δύο κεῖ]μενοι ἐν τῷ δικαστηρίῳ, ὃ μὲν χ[α]λκοῦς,
 ὃ δὲ ξύ]λινος, διαιρετοὶ [δ]ῶπως [μ]ή [τινε]ς ὑπο[β]άλλων- 5
 ται ψήφ]ους, εἰς οὓς ψηφίζονται οἱ δικαστα[ί], ὁ μὲν
 χαλκού]ς κύριος, ὁ δὲ ξύλινος ἄκυρ[ος]. ἔχ[ει δ' ὁ] χαλ-
 κοῦς ἐ]πίθημα διερρ[ινη]μένον, ὥστ' αὐ[τ]ὴν
 μόνη]ν χωρεῖν τὴν ψήφον, ἵ[να μ]ὴ δύο [ὁ] αὐτὸς
 ἐμβάλλ]ῃ. ἐπειδὴν δὲ διαψηφί[ζεσθαι] μέλ[λ]ωσιν 10
 οἱ δικασ]τα[ί], ὁ κήρυξ ἀγορ[εύ]ει πρῶτον, αὐ ἐ[πι]σκή-

35 ὁ ἄν [λ]άχωσιν K-W. 36 ὁ Μ..ΠΟΛΙ... K-W.

Pag. 36, 1 τοῦ γ ἀποδιδ[ῶν] σ[ύ]μβολον γ λαμβ[β]άνει, ἵ[να] ψηφί[ζοντα]ι πάντες
 K-W. τοῦ γ ἀποδιδούς [γ]ὰρ γ λαμβάνει . . . ψηφί πάντες K³. 2 λα[μβά]ν[ειν]
 K-W, λα[μβάν]ειν K³, λα[β]είν B. versus in fine ἸΒΟΡΟΝ vel -ΒΟΙΟΝ K apud B.
 σ[ύ]μβολον B. 5 ὁ δῶπως μὴ [προ]υπο[β]άλλωνται K-W; ὁ δῶπως μὴ . . . π. K³.
 6 ψήφ]οι, εἰς K-W; . . . εἰς K³; ψήφ]ους, εἰς B. 7—9 e schol. Arist. rest. K.
 10 ἵνα μὴ δύο ὁ αὐτὸς ἐμβάλλῃ van Leeuwen; —ἐμβάλλῃ B; —βάλλῃ K-W, K³.
 11 οἱ articulo spatium non superesse putat K. ΔΝ: [τ]ν' H-L. CKE: correxit K-W.

Pag. 36, 3—9 Schol. Arist. *Eg.* 1150... ὕστερον δὲ ἀμφορεῖς δύο ἴσταντο ἐν τοῖς
 δικαστηρίοις, ὁ μὲν χαλκοῦς ὁ δὲ ξύλινος, καὶ ὁ μὲν κύριος ἦν, ὁ δ' ἄκυρος. ἔχει
 δὲ “ὁ μὲν χαλκοῦς,” ὥς φησιν Ἀρ. διερρινημένον ἐπίθημα εἰς τὸ αὐτὴν μόνην τὴν
 ψήφον καθέσθαι. Pollux viii 123 καὶ κάδον (εἶχον) ᾧ κημὸς ἐπέκειτο δι' οὗ καθίετο ἡ
 ψήφος· αὐτοῖς δὲ δύο ἀμφορεῖς ὁ μὲν χαλκοῦς ὁ δὲ ξύλινος, ὁ μὲν κύριος ὁ δὲ ἄκυρος.
 τῷ δὲ χαλκῷ ἐπὶ ἐπίθημα μιᾷ ψήφῳ χώραν ἔχον (Frag. 426², 466³).

col. 36, 1. γ λαμβάνη γ seems to refer
 to the βακτηρία and the two ψήφοι received
 by each dicast during the trial; not to the
 three obols paid him when it is over.
 ‘γ et τρεῖς et τρις esse potest’ (Blass).

3. ἀμφορεῖς] also called κάδοι or κα-
 δίσκοι; Pollux viii 17, καδίσκος... τὸ ἀγ-
 γείον ᾧ τὰς ψήφους ἐγκαθίσταν. Harp.
 καδίσκος: Ἰσάιος ἐν τῷ περὶ τοῦ Ἀγνίου
 κλήρου (*Or.* II § 21 *dis*), ἀγγείον τι εἰς δὲ
 ἐψηφοφόρον οἱ δικασταί... Bekk. *Anec.* 275
 καδίσκοι: ὕδρια χαλκαῖα, εἰς αὖ καθίετο αἱ
 ψήφοι τῶν δικαζομένων. Schol. Arist.
Vesp. 321 &c (Meier and Schöm. p. 938

—942 Lips.). Ἰλυσ. 13 § 37. Cf. the
 ὕδρια of Xen. *Hell.* i 7, 9, and CIA iv 1,
 116 h, p. 24.

8. ἐπίθημα] also called κημὸς Arist.
Vesp. 754 (Pollux viii 16 δι' οὗ κατήσαν
 αἱ ψήφοι ἐπικειμένον τῷ καδίσκῳ), *ib.* 123
 κάδον, ᾧ κημὸς ἐπέκειτο, δι' οὗ καθίετο ἡ
 ψήφος. Cf. Meier and Schöm. p. 938, n.
 492—3.

11. ὁ κήρυξ] Arist. *Vesp.* 752, κείθι
 γενούμην, ὡς ὁ κήρυξ φησί, τίς ἀψήφιστος;
 ἀνιστάσθω.

ἐπισκήπτωνται] Plat. *Leg.* 937 B, ἐπι-
 σκήπτεσθαι δὲ τῶν ἀντιδίκων ἐκότερον ὅλην

- πτων]ται οἱ ἀντιδικοὶ ταῖς μαρτυρίαις· [δὲ] ἰ γὰρ
 πρότερον] ἐπισκῆψασθαι [αὐ]τα[ί]ς πρὶν [π]άντα[ς] διαψη-
 φίσασθαι. ἔπειτα πάλιν [ἀνακη]ρύττει[ε] “ ἡ τε-
 15 τρῦπη]μένη τοῦ πρ[ό]τερον [λέγοντ]ος, ἡ [δὲ] πλή-
 ρης τοῦ ὕστερον λέγο[ν]τος.” [ὁ δὲ δι]καστ[ῆς] λα-
 βῶν] . . . ἐ[κ] τοῦ λυχνείου τὰς ψήφους, πιέ[ζει] τὸ
 μέσον] τῆς ψήφου, καὶ οὐ δεικνύων [τ]οῖς ἀ-
 γωνιζο]μένοις οὔτε τὸ τετρῦπημέ[ν]ον
 20 οὔτε τὸ] πλήρες, ἐμβάλλει τὴν μὲν κυ[ρία]ν εἰς
 τὸν χαλ]κοῦν ἀμφορ[έ]α, τὴν δὲ ἄκυρο[ν] εἰς
 τὸν ξύλ]ινον. πλδ. ω οἱ δὲ
 τεταγ]μένοι, λαβ[ό]ντες [δύ] ὑ]πηρέτ[ας,
 τὸν ἀ]μφορέα τὸν κύριον [ἐπαφ]ιάσιν [ἐπ'] ἄβα-
 25 κα τρυ]πήματα ἔχοντα [ὄ]σ[αιπερ] εἰσὶ[ν] αἱ [ψ]ῆ-
 φοι] . . . αχταῖ . . . ηχ . ρ τοῦ ἀ[ρ]ιθμῆ-
 σαι . . .] καὶ τὰ [διακ]ενα [αὐτ]ῶν [καὶ] τὰ πλήρη δηλ[οῖ]
 τοῖς ἀν]τιδ[ί]κοις. οἱ δ[ὲ] ἐπὶ τὰ[ς] ψήφους [εἰ]λη-
 χότες] δια[ριθμοῦσιν] αὐτάς [ἐπ]ὶ τοῦ ἄβακος,

12 τας μαρτυρίας corr. K-W (K³, B). 13 ΔΤΑΙC scriptum fuisse videtur, B. αὐτοῖς] ἐπισκ. [αὐ]τα[ί]ς πρὶν π[άντα]ς K-W; —[αὐ]τα[ί]ς πρὶν [π]άντα[ς] K³; — [αὐ]τα[ί]ς ἡ ἀ]παντας B. 14 ὁ κῆρυξ κηρύττει K, K-W, adversante spatio. 16 in fine ταστ . . . σα K³; Δ. ΔΤΔC. CTA (ατος μετὰ ?) K-W. 17 ἐ[κ] τοῦ B; πρόσθ]εν τοῦ K³. ψήφους [ἐ]πὶ [ἐ]καστ[ὸν] K, ψήφους . . . ἕκαστον K-W. cum N supra TO scriptum sit, τὸ [μέσον] conicit B. 18 ΚΑΙΟΥΔΙΚ.ΥΩΝ B (K³); καὶ ὁ δεικνύων K¹ (K-W). . . CA K¹, ὡς Δ K-W, [τ]οῖς ἀ- B (K³). 19 ΠΕΝΟΙCΑΥΤΗΣ τό τε τ[ετρ]ῦπημένον K-W. 20 καὶ τὸ] πλ. K-W. βάλλει K-W; EN suprascr. detexit B (K³). 22 supra πλδ scriptum esse πδλ testatur K (ap. K-W). ΗΛΔ. T et versus in fine ω οἱ δὲ B (. . . α K¹). 23 λαβεῖν τὰς . . . ὑπηρέται K, K-W. 24 . . . ασι K; ἐστήκ]ασι K-W; [ἐπαφ]ιάσι B. ΔΥΤΑ Δ. ΕΥΔ. ΙΘΜΟΙ K-W. ἄβα[κα] B; ἀνὰ K, K-W. 26 φοι τὰ] αὐτὰ . . . α ναπευ ἀ[ρ]ιθμοὶ K³. 27 εἰ]τα [καὶ] τὰ πλήρη δηλ[οῖ] τοῖς ἀν]τιδ[ί]κ[οι]ς K³; ἀν]τιδ[ί]κ[οι] iam K-W. 28—29 ους [εἰ]λη[χότας] δια K; ΦΟΥC. ΛΗ|—ΔΙΔ K-W. 29 ΟΥΔΑ. ΔΚΔC K-W; . . . του α. ακας K³, [ἐπ]ὶ τοῦ ἄβακος B (quod nunc probat K).

τῇ μαρτυρίᾳ καὶ μέρει, ἐὰν τὰ ψευδῆ φῇ
 τινὰ μεμαρτυρηκέναι, πρὶν τὴν δίκην διακε-
 κρίσθαι (Meier and Schöm. p. 488 Lips.).

15. τοῦ πρότερον λέγοντος, the plain-
 tiff: τοῦ ὕστερον, the defendant. Cf. l.
 32—33. Similarly in the trials of the
 generals after Arginusae, Xen. *Hell.* i 7, 9,
 the votes of condemnation are placed in
 what is briefly called the προτέρα ὑδρία;
 those of acquittal, in the ὑστέρα; cf.
 Lys. 13 § 37.

17. λυχνείου] a ‘lamp-stand,’ probably
 with two branches, each of them sup-
 porting a flat disk, or pan (πινάκιον,
 Pollux, x 115). In the ordinary use of

the λυχνείου, the two pans would be the
 proper place for the λύχνοι; in its present
 use, or rather in the metaphorical applica-
 tion of the term to part of the machinery
 of the law-courts, the two pans are the
 place for the two sets of ψήφοι. The
 contrivance probably resembled a very
 simple type of *ephergne*.

18. οὐ δεικνύων] Cf. Dem. *F. L.* 239,
 κρύβδην ψηφίσεσθαι, Meier and Schöm.
 p. 937 Lips.

24. ἄβακα] ‘a reckoning-board,’ Pol-
 lux x 105—6, here used to count the
 votes. Cf. Arist. *Vesp.* 332, ἡ δῆτα λίθον
 με ποίησον ἐφ’ οὗ τὰς χοίρινας ἀριθμοῦσιν.

χωρίς] μέ[ν τὰ]ς πλήρεις, χω[ρὶς] δὲ τὰς τε- 30
 τρυπ[ημένας. καὶ ἀναγορεύ[ει] ὁ κῆρ[υξ] τὸν
 ἀριθ[μὸν] τῶν ψήφων, τοῦ μὲν [δ]ιω-
 κον[τος] τὰς τετρυπημένας, τοῦ δὲ φ[εύγον-
 τος τὰ]ς πλήρεις· ὁποτέρῳ δ' ἂν πλείω[ν γ]ένη-
 ται, οὗ[τος] νικᾷ. ἂν δὲ [ῖσαι], ὁ [φεύγων]. ἔ[πε]ιτα πά- 35
 λιν τιμῶσι, ἂν δέη τιμήσαι, τὸν αὐτὸν
 τρόπον ψηφίζόμενοι, τὸ μὲν σύμβολον
 ἀποδιδόντες, βακτηρίαν δὲ πάλιν παραλαμ-
 βάνοντες. ἡ δὲ τίμησις ἐστὶν πρὸς ἡμίχουν
 ὕδατος ἑκατέρω. ἐπειδὴν δὲ αὐτοῖς ἡ δε- 5
 δικασμένα τὰ ἐκ τῶν νόμων, ἀπολαμ-
 βάνουσιν τὸν μισθὸν ἐν τῷ μέρει οὗ
 ἔλαχον ἕκαστοι.

30 versus in fine εἰσχω . . . ΔΕΞΑΜΕ Κ-Λ.

34 ἂν πλείω [γ]ένηται Κ; [ἂν

πλείων γ]ένηται (sic) Β; πλείους γένωνται e lex. Cant. Κ-Λ, Η-Λ.

Pag. 37, l. 4 ΤΕΙΜ.

5 ἑκατέρων pr.

6—8 claudit librum coronis

ingens ante hos versus infraque porrecta; unde apparet hoc in loco opus ad finem fuisse perductum.

32—35 *lex. rhet. Cantab. ῖσαι αἱ ψῆφοι αὐτῶν· ἐγένοντο δὲ ῖσαι ψῆφοι, ὡς Ἀρ. ἐν τῇ Ἀθ. πολ.· καὶ ἦσαν “τοῦ μὲν διώκοντος” αἱ τετρυπημέναι, “τοῦ δὲ φεύγοντος” αἱ πλήρεις, “ὁποτέρῳ δ' ἂν πλείους γένωνται,” οὗτος ἐνίκῃ, ὅτε δὲ “ῖσαι, ὁ φεύγων” ἀπέφυγεν (Frag. 425², 465³). Harp. κᾶν ῖσαι, Hesych. ῖσαι ψῆφοι et κᾶν ῖσαι, Append. prov. iii 30, 42, Schol. ad Arist. *Ran.* 685.

35. ῖσαι] *Probl.* 39, 13, διὰ τί ποτε, ὅταν τῷ φεύγοντι καὶ τῷ διώκοντι φαίνωνται αἱ ψῆφοι ῖσαι, ὁ φεύγων νικᾷ; and 15. Aeschin. 3 § 252, Ant. *Herod.* 51, Arist. *Ran.* 685, Aesch. *Eum.* 732—3 (Meier and Schöm. p. 938, n. 495 Lips.).

col. 37, l. 2. τιμῶσι—τὸν αὐτὸν τρόπον ψηφίζόμενοι] [Dem.] *Aristog.* 1, 83, θανάτου πᾶσιν ἐτιμᾶτο...καὶ ταῦτα πρὶν τὴν πρῶτην ψῆφον διενεχθῆναι. Aeschin. 3 § 197, Dem. *F. L.* § 290 (Meier and Schöm. p. 943 Lips.). In Plat. *Apol.* cc. 1—24 are supposed to have been spoken ἐπὶ τῆς πρώτης ψῆφου, and 25—28 ἐν τῇ τιμήσει (Shil-

leto on *F. L.*, l. c.). Cf. Ar. *Probl.* 953 a 4, τίμησις τί χρηὶ παθεῖν ἢ ἀποτίσαι.

2. σύμβολον, col. 32, l. 4.

3. βακτηρίαν, *ib.* 3. The dicast has received the σύμβολον which entitles him to draw his pay; but, as a second voting is necessary and he is not entitled to his pay until this is completed, he gives up his σύμβολον and receives his βακτηρία instead.

4. ἡμίχουν] The χοῦς was equivalent to 5·76 pints.

7. ἐν τῷ μέρει κτλ.] *i.e.* in the κληρωτήριον, col. 31, l. 18. Cf. also col. 33 a 17—19.

HERACLIDIS EPITOMA.

1. Ἀθηναῖοι τὸ μὲν ἐξ ἀρχῆς ἐχρῶντο βασιλείᾳ· συνοική-
σαντος δὲ Ἰωνος αὐτοῖς, τότε πρῶτον Ἴωνες ἐκλήθησαν (cf. frag.
1). Πανδίων δὲ βασιλεύσας μετὰ Ἐρεχθέα διένειμε τὴν ἀρχὴν
τοῖς υἱοῖς. 2. καὶ διετέλουν οὗτοι στασιάζοντες. Θησεὺς δὲ
5 ἐκήρυξε καὶ συνεβίβασε τούτους ἐπ' ἴσῃ καὶ ὁμοίᾳ (cf. frag. 2).
οὗτος ἐλθὼν εἰς Σκῦρον ἐτελεύτησεν ὥσθεις κατὰ πετρῶν ὑπὸ
Λυκομήδους, φοβηθέντος μὴ σφετερίσῃται τὴν νῆσον· Ἀθηναῖοι
δὲ ὕστερον μετὰ τὰ Μηδικὰ μετεκόμισαν αὐτοῦ τὰ ὄστα (cf.
frag. 4). 3. ἀπὸ δὲ Κοδριδῶν οὐκέτι βασιλεῖς ἤρουντο, διὰ τὸ
10 δοκεῖν τρυφᾶν καὶ μαλακοὺς γεγονέναι. Ἴππομένης δὲ εἰς τῶν
Κοδριδῶν βουλόμενος ἀπώσασθαι τὴν διαβολήν, λαβὼν ἐπὶ τῇ
θυγατρὶ Λειμώνῃ μοιχόν, ἐκείνῳ μὲν ἀνείλεν ὑποζεύξας [μετὰ
τῆς θυγατρὸς] τῷ ἄρματι, τὴν δὲ ἵππῳ συνέκλεισεν ἕως ἀπώλετο.

4. τοὺς μετὰ Κύλωνος διὰ τὴν τυραννίδα ἐπὶ τὸν βωμὸν τῆς
15 θεοῦ πεφηνγότας οἱ περὶ Μεγακλέα ἀπέκτειναν. καὶ τοὺς δρᾶ-
σαντας ὡς ἐναγεῖς ἤλαυνον (Ἀθ. πολ. c. 1).

5. Σόλων νομοθετῶν Ἀθηναίους καὶ χρεῶν ἀποκοπὰς ἐποίησε,
τὴν σεισάχθειαν καλουμένην (6 § 1). ὡς δ' ἐνώχλουν αὐτῷ τινες
περὶ τῶν νόμων, ἀπεδήμησεν εἰς Αἴγυπτον (11 § 1).

20 6. Πεισίστρατος τριάκοντα καὶ τρία ἔτη τυραννήσας γηράσας
ἀπέθανε (17 § 1). Ἴππαρχος ὁ υἱὸς Πεισιστράτου παιδιώδης ἦν
καὶ ἐρωτικὸς καὶ φιλόμουσος, Θεσσαλὸς δὲ νεώτερος καὶ θρασύς
(18 §§ 1, 2). τοῦτον τυραννοῦντα μὴ δυνηθέντες ἀνελεῖν Ἴππ-
αρχον ἀπέκτειναν τὸν ἀδελφὸν αὐτοῦ (18 § 3). Ἰππίας δὲ
25 πικρότατα ἐτυράννει (19 § 1).

7. καὶ τὸν περὶ ὀστρακισμοῦ νόμον εἰσηγήσατο, ὃς ἐτέθη διὰ
τοὺς τυραννιῶντας. καὶ ἄλλοι τε ὀστρακίσθησαν καὶ Ξάνθιππος
καὶ Ἀριστείδης (22 §§ 1, 3, 5, 6).

8. Ἐφιάλτης (25) τοὺς ἰδίους ἀγροὺς ὀπωρίζειν παρείχε τοῖς
30 βουλομένοις, ἐξ ὧν πολλοὺς ἐδείπνιζε (27 § 3).

Ediderunt Schneidewin (Heraclidis politiarum quae extant, 1847), Carolus
Mueller (FHG ii 208, 1848), Valentinus Rose (Ar. Frag. 611, ed. 1886, p. 370);
item Ἀθ. πολ. in appendice K-W et B. 2 αὐτοὺς K-W, coll. Ἀθ. πολ. 41 § 2.
3 Cf. Strab. 392, schol. Arist. Lys. 58, 59. 4 c. 41 § 2. 5 μοῖρα sive τιμῇ
in codd. additum delevit Schneidewin. 8 μετὰ K-W (B) coll. frag. 4: περὶ codd.
9, 10 Cf. c. 2 § 2. 10 Cf. schol. Aeschin. i § 182. 12, 13 μετὰ τ. θ. del.
Koeler. 13 ἕως ἀπώλετο B; ἕως ἀπόληται codd.; ὅπως ἀπόληται K-W. 18 δὲ
διώχλουν codd.; δ' ἐνώχλουν K-W (B) coll. c. 11 § 1.

9. Κλέων παραλαβὼν διέφθειρε τὸ πολίτευμα (28 § 3), καὶ ἔτι μᾶλλον οἱ μετ' αὐτόν (28 §§ 4, 5; 35 § 3), οἳ πάντα ἀνομίας ἐνέπλησαν, καὶ ἀνέϊλον οὐκ ἐλάσσους χιλίων φ' (35 § 4). τούτων δὲ καταλυθέντων Θρασύβουλος καὶ Ῥίων προειστήκεσαν, ὃς ἦν ἀνὴρ καλὸς καὶ ἀγαθός (37 § 1; 38 § 4). 35

10. Θεμιστοκλῆς καὶ Ἀριστείδης (23 § 2). καὶ ἡ ἐξ Ἀρείου πάγου βουλή πολλὰ ἐδύνατο (23 § 1).

11. καὶ τῶν ὁδῶν ἐπιμελοῦνται, ὅπως μὴ τινες κατοικοδομῶσιν αὐτὰς ἢ δρυφάκτους ὑπερτείνωσιν (50 § 2). ὁμοίως δὲ καθιστᾷσι καὶ τοὺς ἑνδεκα τοὺς ἐπιμελησομένους τῶν ἐν τῷ ⁴⁰ δεσμοτηρίῳ (52 § 1). εἰσὶ δὲ καὶ ἐννέα ἄρχοντες, θεσμοθέται 5', οἳ δοκιμασθέντες ὁμνύουσι δικαίως ἄρξαι καὶ δῶρα μὴ λήψεσθαι ἢ ἀνδριάντα χρυσοῦν ἀναθήσειν (55 §§ 1, 2, 4). ὁ δὲ βασιλεὺς τὰ κατὰ τὰς θυσίας διοικεῖ (57 § 1). καὶ τὰ πολέμια (58 § 1 ?).

FRAGMENTA

ex prima libri parte

1 (Rose, Frag. 381³)

τὸν Ἀπόλλωνα κοινῶς πατρῶον τιμῶσιν Ἀθηναῖοι ἀπὸ Ἴωνος· τοῦτου γὰρ οἰκίσαντος τὴν Ἀττικὴν, ὡς Ἀριστοτέλης φησί, τοὺς Ἀθηναίους Ἴωνας κληθῆναι καὶ Ἀπόλλωνα πατρῶον αὐτοῖς ὀνομασθῆναι. Harp. Ἀπ. πατρ.

πατρῶον τιμῶσιν Ἀπόλλωνα Ἀθηναῖοι, ἐπεὶ Ἴων ὁ πολέ- ⁵ μαρχος Ἀθηναίων ἐξ Ἀπόλλωνος καὶ Κρεούσης τῆς Ξούθου <γυναικός> ἐγένετο. schol. Aristoph. *Av.* 1527; cf. Bekk. *An.* 291 = schol. Plat. *Euthydem.* p. 369 Bk. Heracl. *epit.* 1.

2 (384³)

ἔτι δὲ μᾶλλον αὐξῆσαι τὴν πόλιν βουλόμενος (Theseus) ἐκάλει πάντας ἐπὶ τοῖς ἴσοις, καὶ τὸ 'δεῦρ' ἵτε, πάντες λεῶ' ¹⁰ κήρυγμα Θησέως γενέσθαι φασὶ πανδημίαν τινὰ καθιστάντος. οὐ μὴν ἄτακτον οὐδὲ μεμιγμένην περιείδεν ὑπὸ πλήθους ἐπιχυν-

32 οἱ πάντας (πάντα B) ἀνομίας ἐνέπλησαν codd.; om. K-W. em. K-W (B).

40 ἑνδεκα [[τοὺς]] K-W; ἑνδεκα <κληρω> τοὺς, B. 38 ἀνοικ. codd.; 5'

5', of Coraes (K-W, B); θεσμοθέται καὶ οἱ, θεσμοθετικοὶ καὶ οἱ et similia, codd.

7 γυναικός add. Rose (B).

41 θεσμοθέται

θέντος ἀκρίτου γενομένην τὴν δημοκρατίαν, ἀλλὰ πρῶτος ἀποκρί-
 νας χωρὶς εὐπατρίδας καὶ γεωμόρους καὶ δημιουργούς, εὐπατρίδαις
 15 δὲ γινώσκειν τὰ θεῖα καὶ παρέχειν ἄρχοντας ἀποδοὺς καὶ νόμων
 διδασκάλους εἶναι καὶ ὁσίων καὶ ἱερῶν ἐξηγητάς, τοῖς ἄλλοις
 πολίταις ὥσπερ εἰς ἴσον κατέστησε, δόξῃ μὲν εὐπατρίδων, χρεῖα
 δὲ γεωμόρων, πλήθει δὲ δημιουργῶν ὑπερέχειν δοκούντων. ὅτι
 20 δὲ πρῶτος ἀπέκλινε πρὸς τὸν ὄχλον, ὥς Ἀριστοτέλης φησί,
 καὶ ἀφῆκε τὸ μοναρχεῖν, ἔοικε μαρτυρεῖν καὶ Ὅμηρος ἐν νεῶν
 καταλόγῳ (547), μόνους Ἀθηναίους δῆμον προσαγορεύσας. Plu-
 tarch. *Thes.* 25. Cf. Heracl. *epit.* 2; Ἀθ. πολ. 41, 10.

3 (385³)

γεννῆται. πάλαι τὸ τῶν Ἀθηναίων πλήθος, πρὶν ἢ Κλεισθένη
 διοικήσασθαι τὰ περὶ τὰς φυλάς, διήρητο εἰς γεωργούς καὶ δη-
 25 μουργούς. καὶ φυλαὶ τούτων ἦσαν δ', τῶν δὲ φυλῶν ἐκάστη
 μοίρας εἶχε γ', ἃς φατρίας καὶ τριττύας ἐκάλουν. τούτων δὲ
 ἐκάστη συνειστήκει ἐκ τριάκοντα γενῶν, καὶ γένος ἕκαστον ἄνδρας
 εἶχε τριάκοντα τοὺς εἰς τὰ γένη τεταγμένους, οὔτινες γεννῆται
 ἐκαλοῦντο, <ἐξ> ὧν αἱ ἱερωσύναι <αἱ> ἐκάστοις προσήκουσαι
 30 ἐκληροῦντο, οἷον Εὐμολπίδαι καὶ Κήρυκες καὶ Ἐτεοβουτάδαι, ὥς
 ἱστορεῖ ἐν τῇ Ἀθ. πολ. Ἀρ. λέγων οὕτως· φυλὰς δὲ αὐτῶν
 συννενεμῆσθαι δ' ἀπομιμησαμένων τὰς ἐν τοῖς ἐνιαυτοῖς
 ὥρας, ἐκάστην δὲ διηρῆσθαι εἰς τρία μέρη τῶν φυλῶν,
 ὅπως γένηται τὰ πάντα δώδεκα μέρη, καθάπερ οἱ μῆνες
 35 εἰς τὸν ἐνιαυτόν, καλεῖσθαι δὲ αὐτὰ τριττύς καὶ φατρίας.
 εἰς δὲ τὴν φατρίαν τριάκοντα γένη διακεκοσμησθαι, κα-
 θάπερ αἱ ἡμέραι εἰς τὸν μῆνα, τὸ δὲ γένος εἶναι τριάκοντα
 ἀνδρῶν. Lexicon Dem. Patm. p. 152 Sakkelion (*Bull. de*
Corr. Hellén. i 1887). Cf. schol. Plat. *Axioch.* 371^d: Ἀριστο-
 40 τέλης φησὶ τοῦ ὅλου πλήθους διηρημένου Ἀθήνησιν εἰς τε τοὺς
 γεωργούς καὶ τοὺς δημιουργούς, φυλὰς αὐτῶν εἶναι τέσσαρας, τῶν
 δὲ φυλῶν ἐκάστης μοίρας εἶναι τρεῖς, ἃς τριττύας τε καλοῦσι
 καὶ φαρτρίας, ἐκάστης δὲ τούτων τριάκοντα εἶναι γένη, τὸ δὲ
 45 γένος ἐκ τριάκοντα ἕκαστον ἀνδρῶν συνεστάναι. τούτους δὲ
 τοὺς εἰς τὰ γένη τεταγμένους γεννήτας καλοῦσι.—Harp. τριττύς:

15 <τὸ> γινώσκειν K-W.
 τοὺς πολίτας K-W.

24 διήρητο ex ceteris testibus em. K-W et B: διηρέϊτο cod.
 εἰς <εὐπατρίδας καὶ> γεωργ. e frag. 2, 14, K-W, sed εὐπατρίδας et in schol. Plat. et
 in Moeride omissos esse monet B, cum de plebe tantum sermo sit.

<αἱ> ex Harp. K-W, B.

<τοὺς> ἄρχοντας K-W.

32 ἀπὸ τῶν μισθωσαμένων cod., ex Suida correctus.

17 πολίταις:

29 <ἐξ> et

τριττύς ἐστι τὸ τρίτον μέρος τῆς φυλῆς· αὕτη γὰρ διήρηται εἰς τρία μέρη, τριττύς καὶ ἔθνη καὶ φατρίας, ὥς φησιν Ἀρ. ἐν τῇ Ἀθ. πολ. Cf. Pollux viii 111; Moeris, Suid., Harp., s. v. γεννῆται.

4 (frag. Rosio ignotum)

Ἀριστοτέλης ἱστορεῖ, ὅτι ἐλθὼν Θησεὺς εἰς Σκῦρον ἐπὶ κατα- 50 σκοπὴν εἰκότως διὰ τὴν Αἰγέως συγγένειαν ἐτελεύτησεν ὥσθεις κατὰ πετρῶν, φοβηθέντος τοῦ Λυκομήδους τοῦ βασιλεύοντος <μη σφετερίσῃται τὴν νῆσον>. Ἀθηναῖοι δὲ μετὰ τὰ Μηδικὰ κατὰ μαντείαν ἀνελόντες τὰ ὁστὰ αὐτοῦ ἔθαψαν. Schol. Vatic. ad Eur. *Hipp.* 11 Schwartz. Cf. Apollod. bibl. iii 15, 5, ἔνιοι 55 Αἰγέα Σκυρίου εἶναι λέγουσιν. Plutarch. *Thes.* 35, *Cim.* 8; schol. Lycophr. 1326. Frag. attulerunt K-W, B.

dubia

5 (cf. 394³)

Λυκόποδας ἐκάλουν, ὥς μὲν Ἀριστοτέλης, τοὺς τῶν τυράννων δορυφόρους κτλ. (Schol. Arist. *Lys.* 665); cf. Phot. *λυκόποδας*. Quae scholiis in eisdem (*Lys.* 665—6) de Leipsydrio com- 60 memorantur, ex Aristotele (c. 19 § 3) revera hausta sunt; qua ex causa fortasse etiam *λυκόποδες* Aristoteli per errorem adscriptum.

6 (447³)

Lex. rhet. Cantab., s. v. *λογισταί*, ad c. 54 § 2 laudatum.

7 (456³)

τὸ δὲ παρακαταβαλλόμενον ἐπὶ τῶν ἐφέσεων, ὅπερ οἱ νῦν 65 παραβόλιον καλοῦσι, παράβολον Ἀριστοτέλης λέγει (Pollux viii 62). Res prope finem libri fortasse commemorata erat; sed παράβολον nusquam alibi inventum et iure suspectum; παραβόλιον condemnat Phrynichus.

8 (389³)

Photius, s. v. *πελάται* 2, οἱ μισθῶ δουλεύοντες, ἐπεὶ τὸ πέλας 70 ἐγγύς, οἶον ἐγγιστα διὰ πενίαν προσιόντες. Ἀριστοτέλης (cf.

Testimonia ad c. 2, 5). Quamquam *πελάται* in libro scriptum est, 'Αριστοτέλης tamen K-W ex 'Αριστοφάνης corruptum putant, cuius inter glossas politicas haec inventa sit (61 Fresen., Miller, 75 *Mél. de litt. Gr.* 433).

aliena

9 (382³)

picturam Aegypti (invenerunt) et in Graecia Euehir Daedalo cognatus, ut Aristoteli placet (Plin. *N. H.* vii 205).

10 (386³)

Epimenides qui postea Buzyges dictus est secundum Aristotelem (schol. Lemov. ad Vergil. *Georg.* i 19).

11 (392³)

80 ἡ δὲ δὴ διασπορὰ κατακαυθέντος αὐτοῦ (Σόλωνος) τῆς τέφρας περὶ τὴν Σαλαμινίων (*al.* -ίαν) νῆσον ἔστι μὲν—μυθώδης, ἀναγέγραπται δ' ὑπὸ τ' ἄλλων ἀνδρῶν ἀξιολόγων καὶ 'Αριστοτέλους τοῦ φιλοσόφου (Plut. *Sol.* 32).

12 (399³)

πέπυσμαι...κύνας γενέσθαι φιλοδεσπότας Ξανθίππου τοῦ
85 'Αρίφρονος· μετοικιζομένων γὰρ τῶν 'Αθηναίων εἰς τὰς ναῦς, ἡνίκα τοῦ χρόνου ὁ Πέρσης τὸν μέγαν πόλεμον ἐπὶ τὴν Ἑλλάδα ἐξῆψε, καὶ ἔλεγον οἱ χρησμοὶ λῶον εἶναι τοῖς 'Αθηναίοις τὴν μὲν πατρίδα ἀπολιπεῖν ἐπιβῆναι δὲ τῶν τριήρων, οὐδὲ οἱ κύνες τοῦ προειρημένου ἀπελείφθησαν, ἀλλὰ συμμετρίσαντο τῷ Ξανθίππῳ καὶ διανηξάμενοι εἰς τὴν Σαλαμῖνα ἀπέβησαν. λέγετον δὲ ἄρα ταῦτα 'Αριστοτέλης καὶ Φιλόχορος (Aelian. *Nat. Hist.* xii 35, ex Alexandro Myndio, ut putant K-W). ἐν οἷς ἱστορεῖται, κύων Ξανθίππου τοῦ Περικλέους πατὴρ οὐκ ἀνασχόμενος τὴν ἀπ' αὐτοῦ μόνωσιν ἐναλέσθαι τῇ θαλάττῃ καὶ τῇ τριήρει
95 παρανηχόμενος ἐμπεσεῖν εἰς τὴν Σαλαμῖνα καὶ λιποθυμήσας ἀποθανεῖν εὐθύς· οὐ καὶ τὸ δεικνύμενον ἄχρι νῦν καὶ καλούμενον Κυνὸς σῆμα τάφον εἶναι λέγουσιν (Plut. *Themist.* 10, capite in eodem et Aristotele, c. 23 § 1, et Cleidemo nominato). Fortasse in zoico quodam libro Aristotelem haec narrasse putant K-W,

'sicut in *Hist. An.* Z 24 mulum ab Atheniensibus immunitate 100 donatum commemorat, quem Plutarchus in eodem capite Catonis (*Cat. mai.* c. 5) cum cane Xanthippi componit'. Rectius fortasse narrationem Philochoro tribuit J. H. Wright (cf. *Introd.* § 3 init.).

13 (401⁹)

Ἀριστοτέλης δὲ παρὰ Πυθοκλείδῃ μουσικὴν διαπονηθῆναι 105 τὸν ἄνδρα φησίν (de Pericle Plut. *Per.* 4).

14 (415⁸)

πάππου ἢ τήθης πατήρ πρόπαππος...τάχα δ' ἂν τοῦτον τριτοπάτορα Ἀριστοτέλης καλοῖ (Pollux iii 17, ex Aristophane Byzantio, ut putant K-W).

15 (frag. 436 Heitz, a Rosio consulto praetermissum)

πεζᾶς μόσχους, ἀντὶ τοῦ ἐταίρας· ἐλέγοντο γὰρ τινες οὕτως 110 ὥς Ἀριστοτέλης ἐν τῇ Πολιτείᾳ τὰς χωρὶς ὀργάνων. Κάνθαρος Συμμαχία 'αὐλητρίδα πεζήν' καὶ Εὐπολὺς Κόλαξι. Photius, a Rosio (*Arist. Pseud.* p. 446) laudatus, coll. Hesych. s. v., Etym. Magn. πεζαί, Schol. Eur. *Alc.* 447, Theopomp. ap. Athen. xii 532. Aristotelis nomen fortasse ex alio eiusmodi fonte de- 115 fluxit, qui e capite 50 § 2 (τὰς τε αὐλητρίδας καὶ τὰς ψαλτρίας καὶ τὰς κιθαριστρίας) erat derivatus.

FRAGMENTORUM IN PAPYRO LONDINENSI INVENTORUM INDEX.

Fragmentorum numeri e Rosii editione Teubneriana (1886) repetiti, editionis Berolinensis (1870) numeris in parenthesi praepositis.

1870 1886	'Αθ. πολ.	1870 1886	'Αθ. πολ.	1870 1886	'Αθ. πολ.
(345) 383	60 § 2	(378) 417	59	(404) 444	54 § 6
(349) 387	8 § 3	(379) 418	59 § 3	(405) 445	48 § 4
(350) 388	7 § 3	(380) 419	59 § 6	(406) 446	48, 54
(351) 389	2 § 2	(381) 420	56 §§ 5-7	(407) 447	54 § 2 (?)
(352) 390	7 § 1	(382) 421	56 § 6 (?)	(408) 448	50 § 2
(353) 391	8 § 5	(383) 422	56 § 6	(409) 449	51 § 1
(355) 393	15 § 3	(384) 423	56 § 7	(410) 450	51 § 4
(356) 394	19 § 3	(385) 424	57	(411) 451	51 § 3
(357) 395	19 §§ 4, 5	(386) 425	57 § 1	(412) 452	51 § 2
(358) 396	19 § 6	(387) 426	58	(413) 453	53 § 1
(359) 397	21 § 5	(388) 427	58 § 3	(414) 454	53 § 2
(360) 398	23 § 1	(389) 428	56 § 1	(415) 455	53 § 2
(362) 400	30 § 2	(deest) 429	52 § 1	(417) 457	57 § 3
(363) 402	27 § 3	(390) 430	61 § 1	(418) 458	57 § 3
(365) 403	27 § 4	(391) 431	61 § 4	(419) 459	57 § 3
(366) 404	25 § 3	(392) 432	61 § 5	(420) 460	p. 32, 8-15
(367) 405	25 § 4	(393) 433	43 § 2	(421) 461	28 § 3; 62 § 2
(368) 406	28 § 3	(394) 434	43 §§ 3-6	(422) 462	28 § 3
(369) 407	28 § 5	(395) 435	43 §§ 3, 4	(423) 463	p. 35, 1-8
(370) 408	34 § 1	(396) 436	43 §§ 4, 5	(424) 464	p. 35, 27-35
(371) 409	27 § 5	(397) 437	44 § 1	(425) 465	p. 36, 32-35
(372) 410	33 § 1	(398) 438	44 § 2	(426) 466	p. 36, 3-10
(373) 411	34 § 3	(399) 439	54 §§ 3-5	(427) 467	42 § 2
(374) 412	55 §§ 3, 5	(400) 440	48 §§ 1, 2	(428) 468	42 § 5
(deest) 413	3 § 5	(401) 441	47 §§ 2, 3	(429) 469	53 § 7
(375) 414	55 §§ 2, 3	(402) 442	47 § 1	(430) 470	49 § 4
(377) 416	7 § 1; 55 § 5	(403) 443	61 § 7	(431) 471	56 § 3

GREEK INDEX.

Chapters 1—63 are quoted by chapter and line; columns 31 to 37, by column (col.) and line.

** The double asterisk denotes words not found elsewhere; * the single asterisk, words not found in the *Index Aristotelicus*, or only in the corresponding fragments of the 'Aθ. πολ.

* ἄβαξ col. 36, 24, 29
ἀγαθός· ἀγαθοῦ πολίτου 28, 38; ἄνδρας
καλοὺς κάγαθούς 28, 31; πολλῶν ἀγα-
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* ἀγροτέρα 58, 2
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*ἀκληρωτί 30, 30 (decree)
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- δανεισμοὶ 2, 8; 4, 23
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- δειπνοῦσι, ἐν τῷ πρυνανείῳ 62, 12
- δέκα 8, 3 f; ἄρχοντας 13, 8; ἐτῶν 11, 5;
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- οἱ δέκα· (1) under the Four Hundred,
in 411, δ. αὐτοκράτορες 31, 10—12; 32,
13; (2) after the Thirty, in 404, αὐτο-
κράτορες ἐπὶ τὴν τοῦ πολέμου κατάλυσιν
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21); superseded by (3) another Board of
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διαλλακτῶν 38, 26. For official bodies
of Ten under the normal constitution
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ἀστυνόμοι, Διονυσίων ἐπιμεληταί, ἐμπο-
ρίων ἐπιμεληταί, εὐθυνοί, ἱεροποιοί (bis),
ἱερῶν ἐπισκευασταί, ἱππέων καταλογεῖς,
λογισταί (bis), λογιστῶν συνήγοροι, μετ-
ρονόμοι, πωληταί, στρατηγοί, σωφρον-
ισταί, ταμίαι τῆς Ἀθηνᾶς, ταξίαρχοι,
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- * δεκαετιᾶν, ἥρχον 3, 4
- * δεκάζειν 27, 25; δεκάσας τὸ δικαστήριον
27, 27
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8 f; τὸ δ. 54, 12
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- Δελφινίῳ, ἐπὶ 57, 21
- Δελφοί· ὁ ἐν Δ. νεῶς 19, 20
- δεξιὰ· δοῦναι τὴν δ. πίστewς χάριν 18, 35;
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- δεσμοτηρίου φύλακες 35, 6; ἐν τῷ δ. 52, 2
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- δέχομαι· δέχονται τὰ χρήματα 48, 8; δε-
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14, 30
- δέω· θανατοῦν καὶ δεῖν καὶ χρήμασι ζη-
μοῦν 45, 8; (ἡ βουλὴ) κυρία—δῆσαι 45,
2 (πρότερον); 48, 7; (στρατηγοί) κύριοι
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- δῆ· διὰ ταύτην δὴ τὴν αἰτίαν 23, 8; πρὸς
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λιστα δὴ * καὶ πολιτικώτατα ἀπάντων
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Περικλέους 27, 1; διετέλουν οἱ ἐπικεῖς
δημαγωγοῦντες 28, 5; τοὺς προθύμους
δημαγωγοῦντας 26, 3
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- * δήμαρχοι 21, 19; δήμαρχος, εἰς Πειραιέα
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- δημηγορῶν 15, 20; ἐδημηγόρησε 28, 18
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- δημιουργοί 13, 9
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40, 13; 41, 13, 21
- δῆμος· (1) *razis*, τὸ ὄνομα τοῦ δήμου 63,
19; ἐκ τοῦ δ. τῶν Παιανίων 14, 26;
ἐπώλουν οἱ δῆμοι 62, 4; δῆμων 21, 16,
21; τῶν δ. ἀναγορεύωσιν 21, 18; καλοῦ-
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15; δῆμους ἀντὶ τῶν ναυκραριῶν 21, 20;
κατὰ δῆμους 21, 12; 48, 24; οἱ κατὰ δ.
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- (Solon). 5, 2; 6, 1; 9, 12; 11, 10; 15, 14, 16; 18, 29; 20, 4, 13, 16, 17; 21, 1; 25, 1, 10; 29, 10; 34, 1, 7, 19, 26; 35, 19; 36, 6; 38, 17, 20, 28; 41, 2, 4, 5, 25—7; 42, 2, 31; 43, 12, 28. (=ἐκκλησία) 44, 8; 45, 22; 46, 3, 9, 21; 56, 23; 57, 3. δῆμον προ-στάτης 2, 9; 23, 13; 25, 4. θαρρούντος τοῦ δ. 22, 12; τῇ εἰσόδῳ τοῦ δ. πρᾶ-κτητι 22, 19; τοῦ δ. καὶ τῶν εὐπόρων 26, 11; Περικλῆς προεστῆκε τοῦ δ. 28, 1; τοῦ δ. προεστῆκε Ξάνθιππος 28, 10. ἐπαναστὰς τῷ δῆμῳ 14, 6; τῷ δ. δια-νεύμασθαι 22, 31; ἐν τῷ δ. 25, 22. οὐνέπεισε τὸν δῆμον 14, 3; *pl.* οἱ δῆμοι κρατήσαντες 40, 24.
- δημόσιος, ὁ 47, 31; 48, 4. ἴδιος and δη-μόσιος 6, 4; 43, 27; 48, 25; 59, 16. δημοσία σφραγίς 44, 5; τὸ δημοσίον 63, 12; δημόσιοι ἐργάται 54, 2; ὑπηρεταί 50, 14; τὰ δόξαντα δημόσια εἶναι 52, 7. δημοσία 49, 28; *col.* 32, 14, 19.
- δημότης 21, 16; 22, 22; 27, 14; 42, 3, 5; 9, 11, 13; 59, 12; 62, 5.
- δημοτικός τῷ ᾧ 16, 30; δημοτικὴν—πολιτείαν 29, 19; δημοτικά 10, 1; δη-μοτικώτερα 22, 1; 27, 3; 41, 15; δη-μοτικώτατος 13, 20; 14, 1; τρία—δημο-τικώτατα 9, 2. οἱ δημοτικοὶ 6, 8, 13; 16, 36; 18, 30; 34, 18.
- διά *c. gen.* (1) duration of time, διὰ βίου 3, 3, 39. (2) interval of time, διὰ τῶν αὐτῶν χρόνων 13, 6; adverbial *διὰ τάχους* 34, 1 (διὰ ταχέων in *Rhet.* 1386 b 1 & c). (3) agent, δι' Ἀριστοδίκου 25, 24; τῶν φίλων 6, 8; δι' αὐτῶν 33, 12; αὐτῶν 35, 7; αὐτοῦ 41, 5. (4) means, διὰ τούτων 25, 1; δι' ὧν 25, 9. (5) distributed possession, ἡ γῆ δι' ὀλίγων ἦν 2, 6; 4, 29; ἐὰν δι' ὀλίγων ποιήσωνται τὴν πολιτείαν 29, 9.
- c. acc.* (1) *personae*, δι' ὧν 22, 16; διὰ Πανσανίαν 23, 20; τοὺς δημαγω-γούντας 26, 3; τοὺς δημαγωγούς 41, 9; τοὺς παροργίσαντας 34, 7; (2) *rei*, διὰ τοῦτο 21, 8; ταῦτα 38, 31; τοιάνδ' αἰτίαν 19, 8; ταύτην τὴν αἰτίαν 23, 8; ταύτας τὰς αἰτίας 21, 1; τὰ ἀξιώματα 18, 1; τὴν ἀπορίαν 13, 22; τὰς τῶν χρῆων ἀποκοπὰς 11, 8; τὴν τῆς θαλάτ-της ἀρχὴν 41, 19; τὰς πατρικὰς δόξας 26, 9; τὴν εὐνοίαν 38, 28; τὰς ἡλικίας 18, 2; τὴν παρρησίαν 16, 23; τὸ πλῆθος τῶν πολιτῶν 26, 21; τὴν ῥαθυμίαν 8, 28; τὴν σεισάχθειαν 12, 27; τὴν συμ-μαχίαν 29, 4; τὴν Ξέρξου στρατείαν 22, 40; τὴν φιλονικίαν 13, 16; τὸν ὄβον 13, 23. *c. inf.* διὰ τὸ ἀνηρηκεῖναι 19, 2; ἀποβαλεῖν Πύλον 27, 26; βοη-θῆσαι 19, 28; γενέσθαι 3, 7; δοκεῖν 20, 7; 11, 9; θαυμάσαι 16, 19; μεγάλην γεγενῆσθαι μεταβολὴν 13, 15; μὴ βούλεσ-θαι 15, 3; μὴ γεγράφθαι 9, 7; μὴ
- δύνασθαι 9, 12; μὴ χρῆσθαι 22, 3; νομίζειν 29, 8; ποιήσασθαι 41, 4; στασιάζειν 13, 8; συμβῆναι 28, 33; τιμωρεῖν 19, 2.
- διαβάλλειν 6, 5; διαβάλλουσι 28, 36; διαβεβλημένους 23, 20.
- *διαβουλεύσαι, (κατελύθη) ἡ βουλή πρὶν, 32, 4.
- διαγίγνομαι· διαγεγνῆναι (ἡ πολιτεία) μέχρι τῆς νῦν *c. part.* 41, 23.
- διάγω· διῆγον ἐν ἡσυχίᾳ 13, 3; οὕτως διάγουσι 42, 29.
- διαδέχομαι· διαδεξαμένων (?) τῶν νιέων 16, 28 (*cf. Pol.* 1293 a 29 τῶν τελευτώντων διαδέχεσθαι τοὺς νιείς); διεδέχοντο συν-εχῶς τὴν δημαγωγίαν 28, 26.
- διαδίδωμι· πορίσασα δραχμὰς ἐκάστῳ ὅκτῳ διέδωκε 23, 7; (διωβελία) διεδίδωτο (?) 28, 21.
- διαδικάζει τοῖς γένεσι—τάς ἀμφισβητήσεις 57, 10 (only in corresp. frag. and *Oec.* 1347 b 28).
- *διαδικασία· ἐπιτροπῆς 56, 38; *pl.* κλήρων καὶ ἐπικλήρων 56, 39; (τριηραρχῶν) 61, 9.
- *διαίρετοι, ἀμφορεῖς *col.* 36, 5.
- διαίρῳ· 'divide', τὰ τιμήματα διέλιν εἰς τέτταρα τέλη 7, 9; διηρητο 7, 9; διη-ρουντο εἰς τοὺς δήμους 62, 3; διελόμενοι τὰς φυλάς, πέντε ἑκάτερος 61, 20; 'distinguish' τοῖς μέτροις διηρησθαι 7, 26.
- δαίτας ἀποφαίνονται 55, 29; διανέμουσι 53, 28; ἐκδιαιτᾶν 53, 29.
- διαιτηταί· 53, 6; 55, 29; 58, 8; ἐξηκοστὸν ἔτος 53, 19; διαιτητοῦ γνώσις 53, 12; παρὰ τοῦ δ. 53, 18.
- *διαιτῶ· διαιτῆσει 53, 28; ἐπάνωμος ὁ—δεδαιτηκώς 53, 24.
- [διάκ]ενα *col.* 36, 27.
- *διακληροῦσι 50, 8; διακληρώσαι 30, 18 (decree).
- διάκονε 20, 22 (scolium).
- διακόσιοι 24, 14; ἓνα καὶ διακοσίους (δικαστάς) 53, 15; διακόσια (μέτρα) 7, 27.
- διακοσμοῦντα τὴν πομπήν 18, 20.
- *διακρίων (στάσις) 13, 20.
- διαλέγομαι· διελέγετο μετὰ σπουδῆς αὐτοῖς 25, 17; διαλέγεται πρὸς τὸν δῆμον 43, 28.
- διαλείπω· διαλιπόντες ἔτη δύο 22, 11.
- *διαλλακτὴν Σόλωνα, εἴλοντο 5, 4; τῶν (ἐκ Λακεδαιμόνος) δέκα διαλλακτῶν 38, 26.
- διαλύσεις (ἐπ' Εὐκλείδου) 38, 20, 25; 39, 1; 40, 1.
- διαλύων τοὺς διαφορομένους 16, 14; δια-λύσαι 53, 7; διελύθησαν—πρὸς τοὺς Ἑλευσίνοι 40, 25.
- διαμαρτάνων τῆς πρὸς αὐτὸν φιλίας 18, 9.
- διαμένει τὸ δέκα κληροῦν 8, 4; ἐν τῇ ἀρχῇ διέμενεν 17, 4; διέμενεν ἡ πολιτεία 25, 2; 33, 1.

διαμφισβητεῖ, ὑπὲρ ἀμφοτέρων μάχεσται
καὶ 5, 20
διαμφισβητήσεις εἶχον, τῶν Σόλωνος θεσμῶν
οἷοι 35, 11
διανέμω· διανέμουνσι—τὰς διαίτας 53, 27;
διανεμάντων 31, 20 (decree); διένειμε
τὴν χώραν τριάκοντα μέρη 21, 12; δια-
νείμαι σφᾶς τε αὐτοὺς καὶ τοὺς ἄλλους
δέκα μέρη 30, 17 (decree); διανείμαντα
(τὰς δίκας) δέκα μέρη 58, 6. διανείμασ-
θαι τὴν γῆν 12, 15; τὸ ἀργύριον 22, 31
διαπέμπω· διεπέμποντο πρὸς τοὺς ἐν Πειραιεῖ
38, 23
διαπessόντος (?), χρόνον 35, 25
διαπραξάμενος, ταῦτα 20, 9
δια[ρ]ιμῶσιν] col. 36, 29
διαρπάξεν, τὰς οὐσίας 35, 25
*διαρρινῶ· ἐπίθημα διερρινημένον col. 36,
8
διασεύσαντος τοῦ ὑπηρετοῦ col. 31, 8
διασημαίνω· διεσήμανεν 15, 22
διασπεύρω· διεσπαρμένοι κατὰ τὴν χώραν
16, 8; διεσπάρησαν οἱ λόγοι πρὸς τὸ
πλήθος 36, 4
*διασφάλλωμαι· ἐν—οἷς ἔπραττον διεσφά-
λονται 19, 11
διασώξεν ἐπειρῶντο τὸν δῆμον 34, 18
διατάττουσι (τοὺς στρατηγούς) 61, 3; διέ-
ταξε τὴν πολιτείαν 7, 7; τὴν πολιτείαν
διέταξαν 29, 28; διατάξας 11, 1; δια-
τάξασα 8, 11
διατελοῦσιν, χρῶμενοι 8, 6; διετέλουν
νοσοῦντες 13, 12; διετέλουν—δημαγω-
γοῦντες 28, 4; στασιάζοντες διετέλεσαν
20, 19
διατρεῖν τοὺς νόμους 3, 34; διετρεῖ τὰς
ἀρχὰς 4, 30; τὰ μέγιστα τῶν πολιτικῶν
8, 22
διατίθωσιν, ἀγῶνα 57, 7; 58, 2
διατρίβω· c. *part.* διέτριβε δημηγορῶν 15,
20. οὐ διέτριβεν 25, 16; διατρίβωσιν
ἐν τῷ ἄστει 16, 8; διατρίβουσιν ἐν τοῖς
φυλακτηρίοις 42, 33
διαφάδην 12, 57 (Solon)
διαφέρων, δικαιοσύνη τῶν καθ' ἑαυτὸν 23,
15; συνέσει καὶ γνώμῃ διαφέρειν 32,
11. διαφερόμενοι πρὸς ἀλλήλους 23,
17; τοὺς διαφερομένους 16, 15
διαφθεῖραι ('corrupt') τὸν δῆμον 28, 16.
(2) 'kill', Θηραμένην διαφθεῖραι 37, 4;
διέφθειρεν αὐτὸν 18, 38
διάφορος c. *dat.* 11, 8
διαφυλάττω· τὴν δημοκρατίαν 29, 2
διαχειρίζωσι—χρήματα 30, 14 (decree);
cf. 43, 13, and *Pol.* 1322 b 28
*διαχειροτονοῦσιν 49, 17
*διαψηφίζεσθαι 55, 25; col. 36, 10; δια-
ψηφίζονται 42, 4; διαψηφίσασθαι col.
36, 13
*διαψηφισμός 13, 24
διδάσκαλοι (ἐφήβων) 42, 22
διδάσκουσιν 42, 24
*διδραχμον 10, 7; *Oec.* 1353 a 17

δίδωμι· δίδοναι τοῖς πολλοῖς τὰ αὐτῶν 27,
21; δίδοναι δημοσίᾳ τροφὴν 49, 28;
δίδωσι—εἰς τροφὴν 42, 24; δίδωσιν ἐπι-
χειροτονίαν—ψῆφον 55, 22 f; δίκην (42,
34), ἐπιχειροτονοῦσαν (43, 24), εὐθύνας (56,
4) δίδασιν; οὐδεμίαν ἐαυτῷ πλεονεξίαν
διδούς 16, 32; δοῦναι τὴν δεξιάν and τὴν
δεξιάν δέδωκεν 18, 35 f; δοῦναι τὰ ἑαυ-
τοῦ 35, 14; δοῦναι ταῖς ἀρχαῖς (τὰ δι-
καστήρια) 59, 2; (φάρμακον) δούς 57, 16;
δούς κατηγορίαν καὶ ἀπολογίαν 55, 21
*διεγλυῖσθαι 4, 10
διελθεῖν (?) 4, 16; χρόνον διελθόντος 4, 2;
διελθόντων—ἐτῶν 42, 36
δικάζω· of the officials presiding at a
trial, (οἱ εἰσαγωγεῖς) ταύτας δικάζουσιν
57, 17, 21, 23—26, 30; 59, 2; ἐμμή-
νους εἰσάγοντες 52, 17; cf. 57, 27 and
30. *Abs.* 63, 11, 13. κατὰ δῆμους
ἐδίκαζον 53, 3; τοῖς τὴν φυλὴν—δικά-
ζουσιν 53, 14; 58, 7; δεδικασμένα col.
37, 5
δικαίος πρὸς τὴν πολιτείαν 25, 5; οὐ—δι-
καιον 9, 13; 11, 64; δικαίους (μέτροις
καὶ σταθμοῖς) 51, 7. *Adv.* δικαίως·
λαβεῖν τὴν ἐξουσίαν 41, 4; ἐγγράφεσθαι
42, 10; ὥνιος ἔσται 51, 11; ἀρξεν 55
31
δικαιοσύνη—διαφέρειν 23, 15
δικαστήρια (under Solon) 7, 15; 9, 5, 10;
(Ephialtes) 25, 10; (Pericles) μισθο-
φόρα 27, 11; (Anytus) δέκασας τὸ δι-
καστήριον 27, 27. εἰσάγειν εἰς δικαστή-
ριον (29, 26), εἰς τὸ δ. 45, 10; 48, 26;
52, 4, 6, 19. ἐφήβων (ἐφῆ 53, 9) εἰς τὸ
δ. 42, 8; ἐφέσιμος εἰς τὸ δ. 45, 14;
ἔφεσις εἰς τὸ δ. 45, 16, 19; 55, 11. ἐν
δικαστηρίῳ 55, 7, 10; ἐν τῷ δ. 47, 22;
48, 18; 55, 22; 56, 3; 61, 12. τὸ δ.
63, 17; τὰ δ. 63, 23; προγράψαι 59, 1.
δ. ἴδια καὶ δημόσια 59, 15. τὰ δ. τρεῖς
ὀβολοὺς (μισθοφορεῖ) 62, 7; τὰ δ. κλη-
ροῦσιν οἱ ἐννέα ἀρχοντες 63, 1; εἰσοδοὶ
εἰς τὰ δ. (?) 63, 3
δικαστής, ἕκαστος, 63, 18; δικασταί—
ἐξακισχίλιοι 24, 12; κατὰ δῆμους 16,
13; 48, 24; ὅ τι ἂν γνῶσιν οἱ δικασταί
48, 27; ἂν καταγνώσων οἱ δικασταί 54,
9; 63, 14; ἐπὶ τοῖς δικασταῖς 55, 20;
τῶν λαχόντων δικαστῶν 63, 6; δικαστὰς
κληροῦσι 59, 18
δίκη· Solon in c. 12, ἐν δίκῃ χρόνον 1. 30;
βίαν τε καὶ δίκην 1. 43; εὐθείαν δίκην
1. 46.
δίκην δίδωσιν—λαμβάνουσιν 42, 34;
δίκας λαγχάνουσιν 53, 2; δίκαι λαγχά-
νονται πρὸς αὐτὸν 58, 4; δίκας κρίνειν 3,
32
δίκαι· αἰκείας 52, 15; ἀνδραπόδων 52,
16; ἀποστασίον, ἀποστασίον, 58, 9;
εἰς δατητῶν αἵρεσιν 56, 36; εἰς ἐπιτρο-
πῆς διαδικασίαν 56, 38; εἰς ἐπιτροπῆς
κατάστασιν 56, 37; δοῦλον ἐάν τις τὸν

- ἐλευθερον κακῶς λέγει, 59, 14; ἐμμηνοί 52, 11—20; ἐμπορικά 59, 14; ἐρανικά 52, 15; ἴδια 58, 5; 59, 13; κλήρων καὶ ἐπικλήρων 43, 21; 50, 39; 58, 9; κοινωνικά 52, 15; μεταλλικά 59, 14; παρανομίας 56, 35; προικός 52, 12; ἀπὸ τῶν συμβόλων 59, 17; τραπέζικαί 52, 16; τριηραρχίας 52, 16; ὑποζυγίων 52, 16; (ψευδομαρτυριῶν) col. 36, 11—13; τὰ ψευδομαρτύρια τὰ ἐξ' Ἀρείου πάγου 59, 17. For δίκαι ἀδικίου, κακώσεως, κλοπῆς (δημοσίων χρημάτων), πυρκαϊᾶς, τραύματος, φόνου, see γραφαί
- διμνηον ἦρξεν 33, 2
- διὸ καὶ 3, 17, 21, 38; 5, 19; 8, 16; 16, 13, 26, 34; 17, 4; 20, 21; 23, 15, 20; 27, 20; διὸ καὶ νῦν 7, 29
- διοικεῖν, μὴδὲν τῶν πατρῶν τὸν ἄρχοντα, 3, 16; πάντα, 16, 31; 44, 12; τὴν πολιτείαν, 27, 11. διοικεῖ—ἀγῶνα 56, 27; τὰς πατρίους θυσίας 57, 9. διοικοῦσι, πεντετηρίδας 54, 28; πομπήν 60, 4. διώκει τὰ πλείστα καὶ τὰ μέγιστα 3, 35; τὰ κοινὰ 14, 17; τὰ κατὰ τὴν πόλιν 16, 2; τὴν πόλιν 23, 3. τὰ ἄλλα πάντα διώκουν 26, 12. διώκῃσαν, τειχῶν ἀνοικοδόμησιν 23, 17. πάντα διοικεῖται ψηφίσμασι καὶ δικαστηρίοις 41, 25; τὰ ὑπὸ τῆς βουλῆς διοικούμενα 50, 1; περὶ τῶν διωκμένων 25, 7
- διοικήσις ἀπὸ τῶν κοινῶν 24, 21; ἐγκύκλιος 43, 1
- Διονύσια 56, 11, 12, 28; Δ. τῶν μεγάλων 56, 22; τῶν ἐπὶ Ἀθῆναις 57, 4; in Salamis and Peiraeus 54, 35
- Διόνυσος 3, 26
- διπλοῦν—καταβάλλειν 49, 5
- διπλοῦται 54, 12
- δις τὸν αὐτὸν μὴ ἄρχειν 4, 15; οὐκ ἔστιν (ἐπιστάτην) δις τὸν αὐτὸν γενέσθαι 44, 3; ἔξεστι βουλευσά δις 62, 19
- *δισμύριοι 24, 12
- *δισχιλίοι 24, 18; ἀπὸ τοῦ κνάμου 24, 20; δισχιλίου 26, 10
- Δίφιλος 7, 21, 23
- *δίχους col. 34, 33 f
- διωβελία 28, 20 (διωβολία *Pol.* 1267 b 2)
- *διώβολον 41, 34
- διώκειν, 'prosecute,' 56, 31; τοῦ διώκοντος, 'the plaintiff,' 53, 11; col. 36, 32. διώκειν τὴν μέσσην πολιτείαν 13, 18; τὴν πάτριον πολιτείαν 35, 9
- δόγμα· οὐδενὶ δόγματι λαβοῦσα τὴν ἡγεμονίαν 23, 4
- δοκιμάζει (ἢ βουλή) τοὺς ἐγγραφέντας 42, 12; —βουλευτάς 45, 17; —θ' ἄρχοντας 45, 17; —ἵππους, προδρόμους, ἄμππους, 49, 1, 5, 7; —ἀδυνάτους 49, 25, 27. δοκιμάζουσιν (τοὺς ἄρχοντας) 55, 13; δοκιμάζονται (οἱ ἄρχοντες) 55, 6; (οἱ πάρεδροι) 55, 3. δοκιμασθέντες (οἱ ἄρχοντες) 55, 27; (οἱ ἀθλοθέται) 60, 3; δοκιμασθῶσιν οἱ ἐφηβοί 42, 14
- δοκιμασίας ταῖς ἀρχαῖς ἀπάσαις, εἰσάγουσιν (οἱ θεσμοθέται) 59, 11
- δοκῶ *passim*. c. *inf.* 6, 12; 9, 2; 10, 1; 20, 7; 22, 17; 25, 5; 28, 35 &c. τὰ δόξαντα περὶ τῆς πολιτείας 35, 3
- δολοφονηθεῖς 25, 24. δολοφονηθέντος Διομήδους, *de Admir.* 836 a 16; δολοφονία *Eth.* 1131 a 7
- δόξαν, παρὰ 11, 10; τῇ φύσει καὶ τῇ δόξῃ 5, 12; διὰ τὰς πατρικὰς δόξας 26, 9
- δῶρον 42, 31
- δορυφόροι (of Hippias) 18, 22
- δουλεύειν 2, 11; ἐδούλευον οἱ πένητες τοῖς πλουσίοις 2, 3; τῶν πολλῶν δουλεύοντων τοῖς ὀλίγοις 5, 2; cf. 12, 26. Γῆ —δουλεύουσα 12, 34 (Solon)
- δούλιν δίκαι 59, 4; φανερώς δούλοι 40, 10
- Δρακοντίδης 34, 27
- Δράκων 3, 1; 4, 3; 7, 2; 41, 11
- *δραχμή 3, 19; 10, 6; 23, 7; 42, 25; 50, 7; 62, 7, 12, 14. ἐπὶ δραχμῇ 52, 13. μέχρι δέκα δραχμῶν 52, 19; 53, 5. Omitted ἐντὸς χιλίων—ὑπὲρ χιλίας 53, 15 f. (συναλλάγματα) δραχμαῖα καὶ πεντάδραχμα *Pol.* 1300 b 33
- *δρύφακτος 50, 11
- δρῶν· τοῦτ' ἔδρων καὶ ἐπὶ τῶν ἄλλων 35, 17; βουλόμενοι τι δρᾶσαι πρὸ τῆς συλλήψεως 18, 18; τῷ δρᾶσαντι λαγχάνει 57, 30
- δύναμιν, εἶχον 12, 6 (Solon); μεγίστην εἶχεν δ. 13, 11; τὴν ναυτικὴν δ. 27, 5; περιείλοντο τὴν δ. 25, 22; ἐπιλειπόμενος τῇ δυνάμει 19, 5; τῶν ἐν ταῖς δυνάμεσιν 22, 13 (cf. τῶν ἐν ταῖς ἐξουσίαις *Eth.* 1095 b 21)
- δύνασθαι 9, 12; μὴ δ. τῷ σώματι ἱππεύειν ἢ τῇ οὐσίᾳ 49, 16; particip. 7, 19; 49, 3; ἐδύναντο 18, 25; 19, 9; δύνωνται διαλῦσαι 53, 7.
- δυναστείαν, καταλύσῃ τὴν (of the Thirty) 36, 6
- δυνατός, καθ' ὅσον ἦν 14, 14; μὴ δυνατοὺς εἶναι τοῖς σώμασιν ἱππεύειν 49, 14; τοῖς δυνατωτάτοις καὶ τοῖς σώμασιν καὶ τοῖς χρήμασιν λητοουργεῖν 29, 34 (decree)
- δύο 4, 19; 13, 7, 9; 20, 14; 22, 11; τὰ δύο μέρη 51, 17. *gen.* τῶν δυῶν ἐτῶν 42, 37; δυῶν δραχμαῖν 50, 7; δυοῖν χάριν 16, 7. *dat.* δυοῖν φυλαῖν 52, 12; 56, 13; πρὸς τοὺν δυοῖν ὀβολοῖν 28, 32. Cf. Kühner, ed. Blass, i p. 633
- δυσκολίας, τὰς παρούσας 35, 15
- δυσχεραίνοντες, τῇ πολιτείᾳ 13, 15 (οἱ ἐν τῇ πολιτείᾳ δυσχεράναντες *Pol.* 1306 b 4); ἐπὶ τοῖς ἄλλοις ἐδυσχεραῖνον 2, 12.
- δώδεκα 8, 13; 21, 9
- δωδεκάτῳ, ἔτει 22, 10
- δωρεὰν οὐκ ἔστιν αὐτοῖς λαβεῖν 46, 6; δωρεῶν 3, 13
- *δωροξενίας γραφῇ 59, 8
- δῶρα δούς 59, 9; λαβόντα 54, 8; μὴ λῆψεσθαι 55, 3. δῶρων γραφῇ 59, 9; δῶρων τιμῶσιν 54, 9

ἐάν 7, 6; 16, 42 (law); 17, 7; 22, 34 &c. Cf. ἂν
 ἐαυτοῦ, αὐτοῦ, *passim*. νοσοῦντες τὰ πρὸς
 ἑαυτοῦς (= ἀλλήλους) 13, 12
 ἐβδομήκοντα 10, 6
 ἑβδομος 15, 2
 ἐγγίγνεται 54, 32
 ἐγγραφή τῶν πολιτῶν 42, 38
 ἐγγράφονται—εἰς τοὺς δημότας 42, 3, 4;
 ἐγγράφειν 42, 11; ἐγγράψαντας 42, 13;
 δικαίως ἐγγράφεσθαι 42, 10; τοὺς ἐγγρα-
 φέντας 42, 12; οἱ δ' ἐφηβοὶ οἱ ἐγγραφόμε-
 νοι — εἰς λελευκωμένα γραμματεῖα
 ἐνεγράφοντο, — ἐνεγράφησαν 53, 22 f.
 (ἱππέας) ἐγγράφουσιν εἰς τὸν πίνακα
 49, 18; (ἱππέων) ἐγγεγραμμένων 49, 13.
 τῶν ἐγγεγραμμένων (εἰς τὸν τῶν τρις-
 χιλίων κατάλογον) 36, 15.
 ἐπίτροπον ἐγγράψαι 56, 39. κἂν τις
 ἑλλίπη καταβολήν, ἐνταῦθ' ἐγγέγραπται
 48, 5; (cf. πράξεις τῶν προτιθεμένων κατὰ
 τὰς ἐγγραφάς *Pol.* 1322 a)
 ἐγγυηταί 4, 12
 ἐγκαλῆ, ὅ τι ἂν 48, 22; οὐδεὶς οὐδὲν ἐνε-
 κάλεσεν αὐτοῖς 38, 30
 *ἐγκατεγήρασε τῇ ἀρχῇ 17, 1
 ἐγκρατέστερον ἔσχον, τὴν πόλιν 35, 22
 (cf. ἐγκρατῶς ἔσχον τὴν ἀρχὴν *Pol.*
 1284 a 40).
 ἐγκύκλιοι (ἀρχαί) 26, 18; τὰς ἀρχὰς τὰς
 περὶ τὴν ἐγκύκλιον διοίκησιν 43, 1
 ἐγχει 22, 22 (scollum)
 *ἐγχειρίδια 18, 27
 ἔδρα βουλῆς ἢ ἐκκλησίας 4, 17; τὰς ἔδρας
 — τῆς βουλῆς 30, 24
 ἔερδον 12, 23 (Solon)
 ἐθέλω *passim*; in pap. saepe θέλω. μὴ
 'θέλousι 49, 3; μὴ 'θέλῃ 56, 37. οἱ
 ἐθέλοντες Ἀθηναίων 29, 24 (decree)
 εἰ μὴ τι παρεωράτο 26, 18; εἰ μὴ — ἀπο-
 διδοῖεν 2, 7; εἰ — ἐκλείποι 4, 17; εἰ δὲ
 μὴ, after ἐάν μὲν, 22, 35 &c; after κἂν
 μὲν, 52, 5. εἰ — ἢ (= πότερον — ἢ) 43,
 23
 εἰκός 6, 13; 9, 12 &c.
 εἰκοσι 17, 4; 24, 19; 29, 11; 30, 10
 εἰκῶν 7, 21
 εἰμί *passim*. εἴη 14, 9. ἐπὶ τῶν ἰδίων
 εἶναι 15, 25; πρὸς τοῖς ἰδίοις ὄντες 16,
 9. τὸ νῦν εἶναι 31, 9 (decree)
 εἰπεῖν 2, 12; 14, 9; ὡς εἰπεῖν 2, 12; ὡς
 ἔπος εἰπεῖν 49, 31; 57, 8. ἂν — εἴ-
 ποι 7, 30; εἰπὼν 10, 5; Περικλέους εἴ-
 πόντος 26, 22; εἰπόντος τὸν πρὸ τοῦ
 ψηφίσματος λόγον Μηλοβίου 29, 6. εἶπα
 12, 22 (Solon). Cf. εἴρηται
 εἰργασθαι τῶν νομίμων 57, 13; εἰργεται
 τῶν ἱερῶν 57, 28
 εἰρήνην ἀγειν 34, 9; παρεσκεύαζεν εἰρ. 16,
 26; ἐπὶ πέρας ἤγαγε τὴν εἰρήνην 38, 25.
 τῆς εἰρ. γενομένης αὐτοῖς 34, 17
 εἴρηται, καθάπερ 4, 24; ὥσπερ 16, 3; ὅν-
 περ εἴρηται τρόπον 11, 2. τῆς ἡλικίας

τῆς εἰρημένης 30, 15 (decree); εἰρημένοι
 ὦσιν οἱ λόγοι col. 35, 30. Cf. εἰπεῖν
 εἰς (1) of place, εἰς Αἴγυπτον 11, 5; εἰς
 Πειραιέα, εἰς ἄστυ, 51, 1 f; ἢ εἰς τὸ
 δικαστήριον ἔφεσις 9, 5
 (2) of time, εἰς ἐνιαυτὸν 30, 19 (de-
 cree); τρία ἔτη 47, 12; ἐκατὸν ἔτη 7,
 7; τὸν μέλλοντα χρόνον 31, 1; and (in
 decrees) τὸν λοιπὸν χρ. 30, 15; τὸν ἄλλον
 χρ. 31, 18. ἐκ Παναθηναίων εἰς Πανα-
 θῆναι 43, 4.
 (3) of measure, or limit, εἰς ἑπτα-
 κοσίους ἀνδρας 24, 16
 (4) of relation to, ἥδον — εἰς τοῦτον
 20, 21. τὰ εἰς τὸν πόλεμον 23, 10
 εἰς *passim*. = ὁ μὲν εἰς — ὁ δ' ἔτερος 37, 6 f;
 ἐνὸς δεῖν 19, 39; 27, 27; ἐνὸς δέοντα 17,
 4; ἕνα 4, 14; μία 13, 17; μίαν 4, 19
 *εἰσαγγελία. Σόλωνος θέντος νόμον εἰς-
 αγγελίας 8, 26; *pl.* 29, 23; 43, 19;
 59, 4
 εἰσαγγέλλειν, πρὸς τὴν τῶν Ἀρεοπαγιτῶν
 βουλὴν 4, 22; εἰς τοὺς διαιτητάς 53, 32;
 (οἱ θεσμοθεταί) τὰς εἰσαγγελίας εἰσαγ-
 γέλλουσιν εἰς τὸν δῆμον 59, 4; ἔξεστι
 καὶ τοῖς ἰδιώταις εἰσαγγέλλειν ἢ ἂν βού-
 λωνται τῶν ἀρχῶν μὴ χρῆσθαι τοῖς νόμοις
 45, 14 (not found in Ar. in technical
 sense)
 εἰσάγω· εἰς δικαστήριον 29, 26 (decree).
 εἰς τὸ δικαστήριον 45, 10 (law); 48, 26;
 52, 4, 6; 53, 15; 54, 6; 56, 30, 42;
 63, 14. δίκας 52, 12, 17; 58, 8; 59,
 13, 17. διαδικασίας 61, 6. δοκιμασίας
 59, 11. ἐνδείξεις 52, 8, 9. προβολὰς
 κτλ 59, 5. τοῖς δικασταῖς τοῖς τὴν
 φυλὴν—εἰσάγουσιν 48, 25.
 *εἰσαγωγεῖς 52, 11
 *εἰσελάνω· ἐφ' ἄρματος εἰσήλανε 14, 29
 εἰσέρχομαι· εἰς τὴν ἀρχὴν εἰσέρχονται 55,
 35; εἰσελθεῖν εἰς τὴν ἀρχὴν 56, 6. εἰσελ-
 θύντες εἰς τὸ βουλευτήριον 32, 13. εἰσελ-
 θεῖν εἰς τὸ δικαστήριον col. 32, 6; εἰσίη
 (εἰς δικαστήριον) col. 31, 33; col. 32, 7.
 εἰσελθεῖν εἰς τὸ ἱερὸν 57, 29. *Ab.* εὐθὺς
 εἰσελθὼν 56, 5; εἰσῆσαν and εἰσέναι
 32, 5 f. τὸν εἰσιόντα ἐνιαυτὸν 31, 13
 (decree)
 εἰσηγήσατο, ὥσπερ Ἀριστείδης 24, 10
 *εἰσηγητής 27, 20
 εἰσὸδος, εἰς τὰ δικαστήρια (?) 63, 3, 7;
 δικαστηρίου col. 32, 10
 *εἰσπράττειν 8, 17; 48, 6; 60, 8; ἐπιτρό-
 πους—εἰσπράττει 56, 46
 εἰσφέρει—τὰς μισθώσεις 47, 26. εἰς-
 φέρουσι γράψαντες ἐν σανίδι 48, 9; τὸν
 κατάλογον εἰς τὴν βουλὴν 49, 11. νόμους
 εἰσηγέγκαν εἰς τὴν βουλὴν 37, 5. εἰσφέ-
 ρεται—εἰς τὴν βουλὴν τὰ γραμματεῖα 47,
 30
 εἰσφορά 8, 15
 εἶτα· εἴτ' 8, 4; 22, 34. πρῶτον μὲν—εἴτ' 42,
 20; πρῶτον μὲν—ἐπειτα—εἴθ' 62, 6—9.

είωθεν 28, 24; ειώθασιν 40, 4; τῇ ειώ-
θυῖα—πρᾶότητι 22, 19

ἐκ· (1) place, ἐξ Ἀργους 17, 12; 'out of'
ἐκ τούτων 8, 4; ἐκ τῆς φυλῆς ἐκάστης 8,
12 &c; πρῶτος ᾗρξεν ἐξ αὐτῶν 26, 16;
ἐκ καταλόγου 26, 8. (2) origin, ἐκ τῆς
γαμετῆς 17, 10. *ἐκ (= ὑπὸ) τῶν ἄλλων*
ὁμολογεῖται 5, 13. (3) inference, ἐκ τῶν
νῦν γιγνομένων, ἐκ τῆς ἄλλης πολιτείας,
θεωρεῖν 9, 13. (4) time, ἐξ ἀρχῆς
(= ἐν ἀρχῇ) 16, 1; 28, 5; 41, 7; 55, 3;
ἐξ ὑπαρχῆς, *denio*, 4, 16 (*Pol.* 1293 a 2,
initio); ἐξ οὗ 60, 12; ἐκ Παναθηναίων
eis Π. 43, 4

ἐκαστος· ἐκαστον 11, 6. ἐκάστη—τῶν
φυλῶν 8, 2.

The art. generally added, but some-
times omitted:—ἐκάστη τῇ ἡμέρᾳ 43,
15; τῆς ἡμέρας ἐκάστης 62, 15. τῆς
πυρτανέας ἐκάστης 43, 14; κατὰ τὴν
πρ. ἐκάστην 61, 11; κατὰ πρ. ἐκάστην
47, 18. ἐκ τῆς φυλῆς ἐκάστης 8, 12;
29, 37; 44, 8; 53, 1; τῆς φ. ἐκάστης
48, 17; col. 32, 20; ἀπὸ <τῆς> φ.
ἐκάστης 43, 6; ἀφ' ἐκάστης τῆς φ. 61,
2; ἕνα τῆς φυλῆς ἐκάστης 42, 18; 48,
15; 56, 22, 9; 60, 3; 61, 17; ἐξ ἐκάστης
τῆς φ. 22, 9; ἐξ ἐκάστης <τῆς> φ. 55,
5; ἐκατὸν ἐξ ἐκάστης φ. 8, 19. ἐκάστη
τῇ φυλῇ 58, 7; τῇ φ. ἐκάστη 63, 3, 4,
5. καθ' ἐκάστην τὴν φ. col. 31, 2

Art. without ἐκαστος: δύο ὁβολοὺς
ἐκάστῃ τῆς ἡμέρας 49, 28 (law); τρεῖς
ὁβολοὺς ἐκαστον τῆς ἡμέρας 29, 32;
δραχμὴν τῆς ἡμέρας 62, 12. ἅπαξ ἐν
τῷ ἐνιαυτῷ 44, 14. eis ἐκ τῆς φυλῆς
47, 3, 8; ἕνα τῆς φυλῆς 61, 23.

Pl. 7, 14; 13, 25; 21, 24 &c.

ἐκάτερος *passim*. ἐκάτερον βίον 17, 8;
ἐφ' οἷς ἐκάτεροι τυγχάνουσιν ἔχοντες 32,
15; ἐφ' οἷς ἔχουσιν ἐκάτεροι 34, 8

ἐκατέρωθι 54, 35

Ἐκατομβαιῶν 62, 13

ἐκατὸν ἀρχηγετῶν 21, 25; ἐξ ἐκάστης
φυλῆς 8, 19 (cf. 21, 8); ἀνδρας, τοὺς
ἀναγράφοντας τὴν πολιτείαν 30, 3, 17;
31, 21; 32, 1. ἔτη 7, 7. μῶν 4, 9;
τάλαντα 22, 30; (δραχμαῖς) 10, 6

ἐκβάλλω· ἐξέβαλον (Πεισιστρατον) 14, 19;
πολλοὺς—ἐκβεβληκέναι 19, 3; ἐκ τῶν
τάφων ἐξεβλήθησαν 1, 2

ἐκβολή· τῶν τυράννων 20, 18

*ἐκδιαίταν, διαίτας 53, 29

ἐκδίκως 12, 36 (Solon)

ἐκεῖ 55, 34; παρ. 19, 6

ἐκέειθεν 15, 6

ἐκεῖνος 15, 20; 16, 40 &c.

ἐκέισε 19, 6

*ἐκθύματα (?) 54, 24

*ἐκκηρύξει 61, 15

*ἐκκλησία, under Dracon, 4, 18; under
Solon, 7, 15. ἐκκλησίαι, esp. 43, 16 f.
ἐ. κυρία 43, 17; 62, 7. ἐλθὼν eis τὴν

ἐ. 35, 11. ἐ. ἐν τῷ θεάτρῳ 42, 30.
(ἀρχαιρεσίαι) ἐν τῇ ἐ. 44, 17. μισθο-
φόρον ἐκκλησίαν—ἀπεγνώσαν ποιεῖν,
and οὐ συλλεγομένων eis τὴν ἐ. 41, 30;
μισθοφοροῦσι—ταῖς ἐκκλησίαις 62, 6

ἐκκλησιάζειν 15, 17

ἐκκομισάμενοι, τὰ εαυτῶν 19, 36

ἐκλείπει τὴν σύνοδον, εἰ δέ τις τῶν βουλευ-
τῶν 4, 18

*ἐκμαρτυρῶν (?) 7, 25

ἐκπέμπω· Κλεομένην ἐξέπεμψαν 19, 29;
ὅταν ἡλικίαν ἐκπέμπωσι 53, 36; τοὺς
ἄλλους πρὸς τὰ παρόντα πράγματα ἐκ-
πέμπουσιν 61, 10

ἐκπίπτω (τῆς ἀρχῆς)· ἐξέπεσε 15, 2; 19,
6; ὅτ' ἐκπέσει 16, 35; ἐκπεσόντα 17,
17. ὡς ἐξέπεσον (ἐκ τῆς πόλεως) οἱ περὶ
τὸν Ἰσαγόραν 28, 9

*ἐκπολιορκῶ· ἐξεπολιορκήθησαν ὑπὸ τῶν
τυράννων 19, 13

ἐκρονον ἔχοντας, ὀχeteous μετεώρους eis τὴν
ὁδὸν 50, 12

*ἐκτίμημοι, πελάται καὶ 2, 5

ἐκτίνω· ἐὰν—ἐκτέλει τis 54, 11: ἕως ἂν
ἐκτέλει 63, 16 ([Ar.] *Rhet. ad Alex.*
1444 b 2)

ἐκτίσεις 8, 23

ἐκτός 22, 41 (ἐντός *par.*)

ἐκτω ἔτει 14, 19; 26, 14

ἐκφανεῖν 12, 19 (Solon)

ἐκφέρειν, δόξειεν αὐτοῖς 36, 14; ἀνέγρα-
ψαν καὶ ἐξηγεῖσθαι 30, 4

ἐκῶν 27, 10

ἐλαίαν μορίαν 60, 11

ἐλαιον 60, 7 *bis*, 14, 23

ἐλαττον 4, 8; οὐκ ἐλάττω μοῖραν 19, 24

ἐλαύνειν τὸ ἄγος 20, 7. ἡλάσατε 5, 16
(Solon)

*ἐλεγείαν, ποιήσαντι τὴν 5, 6; cf. 5, 20

ἐλευθερος 42, 7; ἂν τις τὸν ἐλευθερον κακῶς
λέγῃ 59, 14. οὐσίαν—ἐλευθέραν 4, 6, 9

ἐλευθεροῦν τὰς Ἀθήνας 19, 22; τὸν δῆμον
ἡλευθέρωσε 6, 2; ἐλευθερωθέντων διὰ
τὴν σεισάχθειαν 12, 27

Ἐλευσίς 39, 3. Ἐλευσίην 39, 10, 17; 40,
26. Ἐλευσινώθεν, Ἐλευσινάδε, 39, 6 f.

Ἐλευσίνια, πεντητηρίς, 54, 31. Ἐλευσι-
νίων 39, 13

ἔλκει—πινάκιον col. 31, 9; βάλανον col.
31, 26

ἐλλείπω· κἂν τις ἐλλίπτῃ καταβολὴν—ἀνάγ-
κῃ τὸ ἐλλείφθην καταβάλλειν 48, 5 f

*Ἐλληνες 23, 11

*Ἐλληνοταμίαι 30, 9(?) and 13 (decree)

ἐλπιδ'—ἀφνέαν 12, 17 (Solon)

ἐμβάλλει (τὴν ψῆφον) col. 36, 20; eis ἐνέ-
βαλλε τὴν ψῆφον 55, 24. (b) ἐμβάλλει
τὸ πινάκιον col. 31, 29; ἐμβάλλωσιν—
τὰ πινάκια eis τὸ κιβώτιον col. 31, 4;

ἐμβάλλεται—τὰ πινάκια 63, 5. (c) βά-
λανοι eis τὴν ὑδρίαν ἐμβάλλονται 63, 8.

(d) ἐμβάλλῃ τοὺς κύβους col. 31, 17; ἐμ-
βάλλονται λευκοὶ (κύβοι) *ib.* 21. (e) ἐμ-

- βαλόντες τὰς μαρτυρίας—εἰς ἐχίνους 53, 10; μαρτυρίας—εἰς τοὺς ἐχίνους ἐμβεβλημέναις 53, 18. *Mid.* εὐθυναν—ἐμβαλέσθαι 48, 20. *Intr.* εἰς τὴν ἀγορὰν—ἐμβαλεῖν αὐτῷ 57, 28
- *ἐμβιβάζω ἐνεβίβασεν 23, 7
- ἐμμένειν, τοῖς ὀρκοῖς 40, 13; κᾶν—ἐμμένωσι (τοῖς γνωσθείσι) 53, 8
- *ἐμμηνοὶ δίκαι 52, 11—20
- ἐμπήγνυσι τὰ πινάκια col. 31, 11; ἐμπηγνύων
- *ἐμπήκτης col. 31, 11, 24
- ἐμπορίαν, κατ' 11, 4
- ἐμπορικάς, δίκας 59, 14
- ἐμπορίου ἐπιμελητάς—τῶν ἐμπορίων ἐπιμελεῖσθαι 51, 15, 16
- ἐμποροὶ 51, 17
- ἐμφανῶν κατάστασιν, εἰς 56, 38
- ἐμφρων 18, 3
- ἐν *passim*. (1) of place, ἐν τῇ στοᾷ 7, 3; ἐν ὅπλοις ('under arms'), 31, 11 (decree); of trial before a court, ἐν τοῖς (ἐν Πειραιεῖ) 29, 23 (decree); with vb. of motion, τοὺς μύθους ἐν τῷ πελάγει καθίσταν 23, 24. (2) of circumstances &c., ἐν τοῖτοις ὥν 19, 6; adverbial use, ἐν κόσμῳ 28, 18. (3) of time, ἐν ᾧ 15, 20; ἐν ('within') πέντε ἔτεσιν 47, 23.—ἐνὶ φρεσὶ 4, 15 (Solon)
- *ἐναγῶν, εἶναι τῶν 20
- *ἐναγίσματα 58, 4
- ἐναντίον τι, c. *dat.* 37, 10; ἐναντιώτατα 36, 10
- ἐναντίον τῆς βουλῆς 47, 6, 10, 14; 48, 3; and (in decree) 30, 28
- ἐναντιωθέντες 36, 4; ἀμφοτέροις ἡναντιώθη 11, 13
- ἐνδείκνυται 63, 13; ἐνεδείχθη 63, 17 (not in Ar. in technical sense)
- *ἐνδείξιν—καὶ ἀπαγωγὴν 29, 26 (decree); *pl.* 52, 8, 9
- ἐνδεκα, οἱ 7, 13; 29, 27; esp. 52, 1—10. τοῦ δεσποτηρίου φύλακας ἐνδεκα 35, 6
- *ἐνδεκάτω—ἔτει 15, 8; ἐνδεκάτῃ 41, 5
- ἐνδέχεται 17, 7
- ἐνδημοὶ, ἀρχαὶ 24, 16
- ἐνδοθεν 5, 7 (Solon)
- ἐνδοξότατος 54, 16
- ἐνδύω θώρακα ἐνδεδικώς 55, 32
- ἐνεκα, τῆς ἀρχῆς 55, 32; γήρως <ἐνεκα> 35, 16
- ἐνῇ(?) col. 31, 33
- ἐνιαύσιος (ἀρχή) 3, 22 (ἀρχαὶ ἐνιαύσιαι *Pol.* 1299 a 7)
- ἐνιαυτός· τρίτος τοῦ ἐν. 47, 19; ἐν—ἐνιαυτῷ 53, 31; τὸν ἐν. 13, 10; τὸν πρῶτον ἐν. 42, 29; εἰς ἐν. 47, 16; ἐπ' ἐνιαυτὸν 8, 10; κατ' ἐνιαυτὸν 3, 20; 30, 4
- ἐνιοὶ 3, 10; 7, 18; 8, 27; 13, 15; 18, 32. ἐνια 27, 4
- ἐνίοτε 43, 30
- ἐνίστημι ἐνέστη φιλία 17, 15; πόλεμος 27, 9. τὴν ἐνεστώσαν φιλονικίαν 5, 11; ἐχθρας ἐνεστώσης 5, 22; τοῦ χεμῶνος ἐνεστώτος 37, 1. ἐνεστήσαντο τὴν—πολιτείαν 41, 2
- ἐννέα ἀρχόντες, οἱ, see ἀρχοντες
- ἐνους, τοὺς ἱπάρχους τοὺς 4, 11 (cf. *Pol.* 1322 a 11)
- ἐνοχλῶ· ἠνώχλουν 11, 2
- ἐνοχος γραφῇ παρανόμων 45, 24
- ἐνσημαίνομαι· ἐνεσημαίνετο πικρῶς 18, 10
- ἐνταῦθα 3, 26; 48, 5; 54, 30 &c.
- ἐντεύθεν 55, 33
- ἐντὸς χιλίων 53, 15; τριῶν μνῶν 49, 26; τριῶν ἡμερῶν 48, 18; δέκα σταδίων 50, 9
- ἐντυγχάνοντα, φιλανθρώπως, c. *dat.* 18, 17
- Ἐνυάλιος 58, 2
- ἐξ, see ἐκ
- ἐξάγω· στρατιάν 37, 3
- ἐξαιρῇ (or ἐξέλη) τοὺς κύβους col. 31, 23.
- ἐξεῖλεν 12, 64 (Solon)
- ἐξαίρων· ἐξαράμενος (an exceptional use) τὰ ὅπλα πρὸ τῶν θυρῶν 14, 13
- *ἐξαλείφουσι, τοὺς ἐξομνύμενους τῶν—ἐγχεγραμμένων 49, 13; ἐξήλειφον, opp. ἀντενέγραφον 36, 15. *Met.* τὰς περὶ τῶν προτέρων αἰτίας ἐξήλειψαν 40, 19
- ἐξαπατηθέντος τοῦ δήμου 34, 6; ἐξαπατηθέντες ὑπὸ Κλεοφώντος 34, 10; κᾶν ἐξαπατηθῇ τὸ πλῆθος 28, 24
- *ἐξαπορῶ· ἐξαπορησάντων τοῖς πράγμασι 23, 5
- *ἐξάρχους col. 34, 34
- ἐξελάσαι *abs.* 22, 17; ἐξηλάθη—τῆς ἀρχῆς 13, 7
- ἐξελέγχεται col. 32, 7; ἵνα μὴ—ἐξελέγχωσι τοὺς νεοπολίτας 21, 17; κᾶν—κλέπτουτα ἐξελέγξωσιν 54, 7
- ἐξεργαζομένης τῆς χώρας 16, 12; ἐξεργασμένα 46, 5
- ἐξέρχομαι· ἐξῆι πολλάκις εἰς τὴν χώραν 16, 14. (Of troops) τῶν ἐξιώντων 26, 10; ἀν ἐξίσωιν 61, 4; cf. ἐξοδος
- ἐξεστι 44, 15; 45, 14, 22; 53, 17; 62, 18; 63, 11, 13. ἐξῆν 4, 21; 27, 15. ἐξῆ 27, 17; col. 31, 33(?). ἐξόν 6, 14; 11, 13. ἐξείναι 9, 4; 29, 14, 29; 39, 6, 16, 21 (decree)
- ἐξετάζειν τὰ γένη 21, 6; ἐξετάζει—τὰ οἰκοδομήματα 46, 8
- ἐξέτασις ἐν ὅπλοις 31, 11 (decree)
- ἐξευρών, γυναῖκα μεγάλην καὶ καλὴν 14, 25
- *ἐξηγέσθαι, τοὺς νόμους 11, 6
- ἐξήκοντα 10, 8
- ἐξοδος 16, 6
- ἐξοικεῖν ἔχειν Ἑλευσίνα 39, 3 (decree); ἐξ. τοὺς ἐθέλοντας 39, 25 (*ib.*); τοῖς βουλομένοις ἐξ. 39, 14 (*ib.*); ἐπινοούντων ἐξ. 40, 3
- *ἐξοίκησις 39, 15 (decree); 40, 26
- *ἐξομνυμι· τοὺς ἐξομνύμενους—μὴ δυνατοὺς εἶναι—ἱππεύειν 49, 13; ἐξομνύσθαι 49, 15; μὴ ἐξομνύμενον 49, 16. ἐξομνυνται τὰς μαρτυρίας 55, 30. (ἐξομνύσθαι τὴν ἀρχὴν *Pol.* 1297 a 20)

- * ἐξοπλισία 15, 16 (ἐξόπλισις *Probl.* 922 b 14)
 ἐξορύσειεν, ἐλάλαν μορίαν 60, 11 (ἐξορυσόμενοι τόποι, [Ar.] *de Admir.* 833 b 4)
 ἐξουσία 6, 19; 41, 4, 24
 ἔξω—τῆς πολιτείας 37, 12
 ἔξωθεν, τῶν 36, 16
 ἑορτῶν ἐπιμελεῖται 56, 29
 ἐπαγγελλόμενος ὡς ἄλλους μνηύων 18, 34
 ἐπανομνέων, τῶν 16, 30; διὰ τὴν εὐνοίαν—ἐπνήθησαν 38, 28
 * ἐπάν 42, 14; 56, 4
 ἐπάναγκες ἐπιψηφίσει 29, 21 (decree); ἐγγράφειν 42, 11
 ἐπαναφέροντες τοῖς πεντακισχιλίοις, οὐδὲν 33, 12
 * ἐπαναχωρήσαντες 38, 3
 ἐπανίστημι* ἐπαναστὰς τῷ δήμῳ 14, 6.
 εἰάν τις τυραννεῖ ἐπανιστῶνται 16, 43.
 (Used in literal sense in Ar.)
 ἐπανορθοῦντες—τὴν πολιτείαν 35, 12 (ἐπανορθῶσαι πολιτείαν *Pol.* 1289 a 3)
 ἐπεὶ 3, 28; 14, 12; 15, 23; 19, 4, 30;
 24, 17 &c.
 * ἐπειδάν 7, 29 &c.
 ἐπειδὴ 11, 1; 62, 3
 ἐπεστιν, τὸ αὐτὸ γράμμα *col.* 31, 13
 ** ἐπεισκαλεῖν, and ** ἐπέισκλητος, 30, 22 f (decree)
 ἔπειτα 6, 7. Often after πρῶτον μὲν (g. v.), but never followed by δέ. Cf. εἴτα.
 ἐπελαύνει (?) 5, 9
 ἐπερωτῶν, ἐπερωτᾷ 55, 13, 20
 ἐπὶ *passim*. (1) *c. gen.* (a) of place &c., ἐπὶ τοῦ βήματος 28, 17; ἐφ' ἄρματος 14, 29; ἐφ' οὗ 55, 28. ἐπὶ τῶν ἰδίων εἶναι 15, 25. (b) 'in the case of', ἐπὶ τῶν ἄλλων 35, 17. (c) 'over', [ἐπὶ τῶν] ναυκαριῶν 8, 14. (d) of time, ἐπὶ τῆς ἔκτης πρυτανείας 43, 22; cf. 44, 15; 47, 21, 25, 28. ἐπὶ τῆς ὕστερον βουλῆς 46, 6; ἐπὶ Μεδόντος—'Ακάστον 3, 9 f; Δράκοντος 41, 11; Σόλωνος 3, 30; 41, 12; Πεισιστράτου 41, 13; τῶν τετρακοσίων 29, 5. ἐπ' Ἀντιδότου (*sc.* ἄρχοντος) 26, 21; ἐφ' οὗ ἄρχοντος 17, 8. ἐπὶ (τοῦ δέινος) ἄρχοντος (20 times) 4, 2; 14, 8, 20; 17, 2; 19, 37; 21, 3; 22, 6; 22, 11, 21; 23, 22; 25, 8; 26, 19; 27, 8; 33, 2; 34, 14; 35, 1; 40, 1; 41, 3; 54, 33; ἐπὶ omitted only twice:—Νικομήδους (?) ἄρχοντος 22, 29, and ἄρχοντος 'Τψιχίδου 22, 40. ἐφ' ᾧν ('under the authority of') 38, 19.
 (2) *c. dat.* (a) of place, 'upon', ἐφ' ἧ 7, 21; 'at', or 'near', ἐπὶ Παλληνίδι 15, 13; 17, 16; ἐπὶ Ἀθναίῳ 57, 5; ἐπὶ Παλλαδίῳ 57, 18. (b) condition, ἐφ' οἷς 23, 24; 32, 15; 34, 8; ἐπὶ τούτοις 1, 3 (?); 23, 36; ἐπὶ τῇ σωτηρίᾳ 19, 35; ἐφ' ᾧ τε 14, 22; 34, 17. (c) ground or reason, ἐπὶ τοῖς ἄλλοις ἐδυσχέρανον 2, 12; χαλεπῶς φερόντων ἐπὶ τούτοις 38, 8; χαλεπῶς ἐνεγκόντες ἐπὶ τῇ συμφορᾷ 33, 5; ἀγανακτῶν ἐπὶ τοῖς γιγνομένοις 36, 2; ἐφ' οἷς ἔχαιρεν ἡ πόλις 35, 20; ἐφ' ᾧ 63, 17. (d) object, ἐπὶ καταλύσει τοῦ δήμου 8, 25;—τῆς πολιτείας 25, 15; ἐφ' οἷς 38, 6; 'for', ἐφ' ἐκαστῇ τῶν ἀρχῶν. (e) 'in the power of', ἐπὶ τοῖς δικασταῖς 55, 26. (f) 'on the security of', ἐπὶ τοῖς σώμασι 2, 8; 4, 33; 6, 2; 9, 3
 (3) *c. acc.* 'upon', ἐπὶ τὸν βωμόν 25, 9. 'over', ἐπὶ πάντας 42, 19; τὸ θεωρικόν 43, 2; 47, 10; τὰ ἐκθύματα 54, 24; τοὺς ὀπλίτας, τὴν χωρὰν, κτλ 61, 4—8; τὰς ναῦς 46, 4. 'for', ἐπὶ τὸ νομοφυλάκειν 8, 20; τὴν ἀπόστασιν 23, 18; τὴν τοῦ πολέμου κατάλυσιν 38, 5. 'to', ἐπὶ πέρας 38, 24; τὴν ναυτικὴν δύναμιν 27, 5; ἕκαστον τὸ δικαστήριον 63, 23. 'throughout', ἐπ' ἐνι-αυτὸν 8, 10; ἔτη τέτταρα 13, 3;—τρία 22, 25
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 * ἐπιδιανέμω* ἐπιδιενεμήθησαν 10, 8
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σιν αὐλοῦντος *Éth.* 1175 b 4; κατακού-

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ἐκατὸν ναῦς *Oec.* ii 1353 a 19, the only

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- * κατατραυματίζας ἐαυτὸν 14, 2
- * καταφατίζω *impf.* 7, 5 (κατάφασις, καταφατικός, *Ar. sagrius, e. g. Categ.* 12 b 7 ἡ κατάφασις λόγος ἐστὶ καταφατικός)
- καταφεύγω κατέφυγον 20, 13
- καταχαρίζεσθαι τὴν κρίσιν 49, 21 (πολλὰ τῶν κοινῶν *Pol.* 1271 b 3)
- * καταχειροτονία 59, 5
- κατελθεῖν τοὺς ἀπὸ Φυλῆς 38, 15; τὸν δῆμον 38, 20. τῶν φυγάδων οἱ κατελθόντες 34, 20; τῶν ἐκ Πειραιέως κατελθόντων 38, 31. τῶν κατεληλυθόντων 40, 11
- κατέχω· (1) 'restrain', οὐ κατεῖχε τὴν ὀργὴν 18, 9; ἐαυτὸν 18, 37. κατέσχε δῆμον 12, 49 and 63 (Solon). (2) 'retain', βουλόμενος κατασχέει αὐτοῦς 40, 5. (3) 'hold'; 'gain, or keep, possession of'; τὴν ἀκρόπολιν κατέσχε 14, 6; κατεῖχον τὴν ἀρχὴν 17, 9; κατέχοντα τὴν ἀρχὴν 17, 18; κατασχέσειν τὴν ἡγεμονίαν 24, 5; κατασχόντος τοῦ δήμου τὰ πράγματα 20, 16; κατεῖχον τὴν πόλιν δι' ἐαυτῶν 35, 7; κατεῖχεν τὴν τυραννίδα 15, 13; κατασχόντες τὴν τυρ. 19, 37; *abs.* κατεῖχεν 15, 3
- κατηγορία 55, 21
- * κατήγορος 42, 9; 55, 21, 26
- κατηγόρω· *c. gen.* 18, 23, 29; 25, 20; 37, 17; 55, 21, 23. κατηγόρησε τὰς εὐθύνas Κίμωνος 27, 2
- * κατοικοδομεῖν, τὰς οδοὺς 50, 11
- κατοικῶ 22, 42; 39, 17 f (decree); 40, 26
- κεῖται 5, 7 (Solon): ὄνομα—κεῖμενον 7, 20
- κελεύει 8, 7; 49, 26; 51, 14; 53, 31. κελεύουσιν 43, 29; 53, 34. κελεύη 44, 7. ἐκέλευεν 16, 20. ἐκέλευσεν 15, 18. κελεύων 22, 32; κελεύοντες 37, 5; κελευουσῶν 40, 21
- κενὸν col. 33, 10
- κέντρον 12, 47 (Solon)
- κέρδει καὶ χάρισιν 41, 29
- κηδεστής 28, 13
- Κήδων 20, 20, 22
- κήρυξ (τῶν ἐννέα ἀρχόντων) 62, 11; (in the law-courts) col. 36, 11, 31. *pl.* κήρυξιν—πρεσβείαις 20, 29 (decree); 43, 30
- Κήρυκες 39, 5; 57, 4
- κηρυζάντων, τῶν στρατηγῶν 23, 6. ὁ ἀρχων—κηρύττει 56, 52
- Κηφισοφῶν ἀρχων (329/8) 54, 33
- κιβώτιον 63, 4 f; col. 31, 1, 5, 10, 12, 14, 30; col. 32, 20
- * κιθαρίστρια 50, 6
- Κίμων 26, 5; 27, 1; his εὐπορία 27, 13; τυραννικὴν ἔχων οὐσίαν 28, 12
- κίνδυνον, μετὰ τὸν 38, 3
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- Κλαζομένιος 41, 33
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- κλείς τὰς τῶν ἱερῶν, τὰς 44, 3
- Κλεισθένης 20, 3, 4, 8, 15, 17; 21, 2; 22, 4, 16; 28, 7; 29, 17, 20; 41, 15
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- Κλεοφῶν 28, 19, 26; 34, 10
- κλέπτῃς 51, 2
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- κλήμα (?) 60, 14 n. c.
- κλήρου καὶ ἐπικλήρου 42, 35; κλήρων καὶ ἐπικλήρων 9, 8; 43, 21; 56, 39; 58, 9
- κληρῶ *act.* ἐξ ὑπαρχῆς κληροῦν 4, 17; (in appointment of archons) δέκα κλ. ἐκάστην (τὴν φυλὴν), εἴτ' ἐκ τούτων κυμαίνειν 8, 4; κλ. τοὺς ταμίαις ἐκ τῶν πεντακοσιομεδίωνων 8, 7; κλ. τὴν βουλὴν τοὺς ἐννέα ἀρχοντας 30, 25 (decree); κλ. τοὺς λαχόντας πέντε τοὺς ἐθέλοντας προσελθεῖν ἐναντίον τῆς βουλῆς 30, 27 (decree)
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- ἱεροποιοὺς 54, 24; ἱεροποιοὺς τοὺς κατ' ἐναντιόν 54, 27; Διονυσίων ἐπιμελητάς 56, 25
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 *κναμεύειν, ἐκ τούτων 8, 4; ἐκνάμευσαν τοὺς—ἀρχοντας 22, 21
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16; κυρωθέντων δὲ τούτων 30, 1 (only ἐν τῇ Τενεδίῳ πολιτείᾳ, p. 1569 a 27, frag. 593³, ἐκύρωσε καὶ περὶ τοῦ ἰδίου παιδὸς τηρηθῆναι τὸν νόμον)
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 κυσὶν πολλαῖσιν 12, 54 (Solon)
 * κωλακρέται 7, 13
 κωλύω· ἐκώλυσε 18, 11; 22, 32. c. *inf.* γενέσθαι 34, 10; δανείζειν 6, 2; κατοικοδομεῖν 50, 11; κοινωνεῖν 37, 8; παρ-ιέναι 19, 31; as in Ar. (*Index* p. 419 b 32) never followed by μή
 Κωμέας ἀρχων (560/59) 14, 8
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 μέγας· γυναῖκα μεγάλῃν καὶ καλὴν 14, 25.
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 μέγισται καὶ πρῶται τῶν ἀρχῶν 3, 4; τὰ πλείστα καὶ τὰ μέγιστα 3, 35; 8, 22; πρῶτον καὶ μέγιστον 9, 3; μεγίστην εἶχεν δύναμιν 13, 11; μέγιστον πάντων ἦν 16, 29
 μέγεθος τοῦ τιμήματος 7, 14
 Μέδων (Βασίλειος) 3, 9
 *μεθιδρυσόμενος, ἐκέισε 19, 6
 μεθίστατο 22, 27
 μεθύων 34, 11
 μέλανε, κύβοι col. 31, 19
 μέλλω c. *inf. praes.* 6, 6; 7, 29; 18, 11; 24, 12, 14; 45, 3; col. 36, 10
 c. *inf. fut.* 63, 10 and col. 31, 36
 μέλλη πληρωθῆσθαι (not noted either by H-L, or in *Class. Rev.* v 185 b).

εἰς τὸ μέλλον 6, 2; εἰς τὸν μέλλοντα χρόνον 31, 1
 μέμνηται 6, 20; 12, 2
 μεμψιμοιρία· *pl.* 12, 55: (only in *de Virt.* 1251 b 25; μεμψιμοίρος in *Hist. An.* 608 b 10)
 μέν—δέ *passim*, 1, 2 f; 3, 2 f &c. μέν without δέ 19, 9; 48, 23. μέν in irregular position 48, 24; μέν—δέ—δέ 21, 13. μέν οὖν *passim*, 2, 10; 3, 14, 33; 4, 1; 8, 8; 9, 1, 10; 10, 1 &c.
 μέν <τοι> 28, 35
 μένω· μένειν 44, 5; 49, 2; ἔμεινεν 16, 35; μεινάντων 38, 31; 39, 3. μεμένηκε διὰ βίον 3, 38
 μερίζειν κατὰ τὰς—τριτῶς 21, 10; (τὰ χρήματα) μερίζουσι ταῖς ἀρχαῖς 48, 8
 μερισμός 48, 9, 11 (*Met.* 1027 b 20 Bz μ. ἀντιφάσεως)
 μέρος, κατὰ 55, 5; τὸ λαχόν μέρος 30, 16 (decree); ἐν μέρει 43, 7; 56, 13; ἐν τῷ μέρει col. 37, 7. τὰ δύο μέρη 51, 17. διένειμε τὴν χώραν—τριάκοντα μέρη 21, 12; διανείμαι τέτταρα μ. 58, 6; νενέμνεται—δέκα μ. 63, 20
 μεσόγειος, ἡ 21, 14
 μέσος· Σόλων—τῇ οὐσίᾳ καὶ τοῖς πράγμασι τῶν—μέσων 5, 12; τὴν μέσῃν πολιτείαν 13, 18; ψῆφοι—αὐλίσκον ἔχουσαι ἐν τῷ μέσῳ col. 35, 28
 μετὰ c. *gen.* τῶν Ἀθηναίων 19, 33; αὐτοῦ 20, 11; ὀλίγων 20, 18; ὀποτέρων 11, 13; τούτων 14, 6. μεθ' ὅπλων 18, 28.
 μετὰ σπουδῆς 25, 17
 c. *acc.* τοὺς ἀρχαίους 28, 29; τὸν—θάνατον 19, 4; τὴν τῶν νόμων θέσιν 14, 7; τὴν κάθοδον 15, 2; τὴν τῶν τυράνων κατάλυσιν 13, 24; 21, 3; τὴν πρώτην κατάστασιν 14, 19; ταύτην τὴν κατάστασιν 22, 6; τὰ Μηδικὰ 23, 2; 25, 2; τὴν ναυμαχίαν 23, 22; τὴν νίκην 22, 11; οὐ πολὺ 6, 10; οὐ πολὺν χρόνον 25, 24; 34, 13; ταῦτα 2, 1; 10, 3; 14, 20; 15, 1; 19, 1; 24, 1 &c; τὴν τοῦ πατρὸς τελευτήν 19, 38; τὴν τυραννίδα 22, 23
 μεταβολή 13, 15; 16, 2; 41, 5
 μεταδιδάσκει 36, 9; μετεδίδου 40, 9; μετέδωκε 40, 9; μεταδοῦναι 36, 39. Constr. τινος τινι
 μεταιχυμῶ, ἐν 12, 65 (Solon)
 μετακινεῖν (τοὺς νόμους) 31, 9 (decree)
 μέταλλα 22, 29; 47, 8, 11
 *μεταλλικαὶ δίκαι 59, 14
 *μεταπέμπομαι· 3, 8; 18, 6; 20, 16; 38, 8
 μεταπίθῃμι· τὰς στάσεις ἀμφοτέρας μεταθέσθαι 11, 9
 μετέχω· ἀρχῆς 7, 29; τοῦ καταλόγου 37, 7; οὐδενὸς 2, 12; τῆς πόλεως 8, 30; 26, 22; τῆς πολιτείας 21, 5; 42, 2; πάντων τῶν τόπων 21, 15. μετεχόντων πολλῶν 18, 14
 μετεώρους, ὄχετος 50, 12

- μέτοικος 43, 25; 57, 18; 58, 11. δίκαι—
μετοίκους 58, 5, 10
μέτριος· μέτριον γενέσθαι καὶ κοινόν 6, 14;
μέτριοι τοῖς πολίταις 35, 8; εὐποροῦντες
τῶν μετρίων 16, 9; ἔχειν τὰ μέτρια 27,
16. ἐν μετρίοσι 5, 17 (Solon)
μετρίως 16, 3
μέτρον 7, 17, 26; πεντακσία μέτρα 10, 4;
μέτρων καὶ σταθμῶν 10, 3
* μετρονόμοι 51, 5
μέχρι δέκα δραχμῶν 52, 18; 53, 5; εὐ-
θυῶν 4, 12; Σόλωνος 2, 9; ἀρχῆς τέ-
λους 56, 7; τίνων 52, 37; τῆς νῦν (sc.
πολιτείας καταστάσεως?) 41, 23 (τοῦ νῦν
usurpat Ar.); τοῦ κ 63, 20; col. 31, 4;
τούτου 23, 1; τριῶν 43, 25
μή, μηδέ, μηδεῖς, μήτε *passim*.
μηδέ μεθ' ἐτέρων 8, 29 (law of Solon).
μή—μηδέ 9, 7. μήτε—μήτε 11, 3; 16,
10; 39, 6 (decree); col. 35, 34. μήτε
—ἀλλά 16, 8
Μηδικά, μετὰ τὰ 23, 2; 25, 2; 41, 16
* μηδισμοῦ, κρίνεσθαι 25, 12
Μηλόβιος 29, 6
μῆν· οὐ μῆν ἀλλά 6, 12; 7, 20; +καὶ 2,
11. οὐ μῆν ἐκὸς ἀλλά 9, 12. ἡ μῆν
29, 12 (decree)
μῆν, δ' μηνός 32, 4; μῆνα 62, 13; μῆνας
13, 7
μηνύειν 18, 8; ἐμῆνεν 18, 33; μηνύσων
18, 34
μῆτηρ and μητὺρ πατήρ 55, 14
μικρόν 3, 14; 11, 12; 15, 17; 25, 3; 41,
10. ἐν οὕτω μικροῖς 6, 17
Μιλτιάδης 26, 5; 28, 10
μισθός (δικαστικός) col. 33, 18; col. 37,
7; cf. τρεῖς ὀβολοὺς 62, 7. μ. (ἐκκλη-
σιαστικός) 41, 29—35; 62, 6 f
μισθοφορά· κατεσκεύασε μισθοφορὰν τοῖς
δικασταῖς (Pericles) 27, 22; ἀνεμ μισθο-
φορὰς 30, 5 (decree). μισθοφορὰν πο-
ρίσκειν *Pol.* 1304 b 27
μισθοφόρα τὰ δικαστήρια, ἐποίησε 27, 11;
μηδεμίαν ἀρχὴν εἶναι μισθοφόρον 33, 9;
μισθοφόρον 33, 9; μισθοφόρον ἐκκλη-
σίαν—ἀπέγνωσαν ποιεῖν 41, 29. Cf.
Pol. 1303 b 1; *Rhet.* 1399 b 2.
μισθοφορεῖν, ἐν ταῖς στρατείαις 27, 10;
μισθοφοροῦσι δραχμὴν 62, 6; πέπνται
μισθοφορῶν 49, 8. Cf. *Pol.* 1317 b 35
μισθοῖ τοὺς οἴκους τῶν ὀρφανῶν 56, 42;
μισθοῦσι τὰ μισθώματα 47, 8; τῷ λα-
χόντι μισθοῦσι 50, 9. *Pass.* ὅπως—μὴ
μισθωθήσονται 50, 7. *Mid.* στρατιώτας
μισθωσάμενος 15, 18; ἐμισθώσαντο τὸν
—νῶν οἰκοδομεῖν 19, 20
* μισθώματα 47, 8
μισθωσις 47, 27; μισθώσεις τῶν τεμενῶν
47, 26. κατὰ ταύτην τὴν μισθωσιν 2,
5; τὰς μισθώσεις ἀποδιδοῖεν 2, 7
μισθῶ· μισεῖν 28, 24
μῆν 10, 5, 8, 9; ἐντὸς τριῶν μῶν 49, 26;
τριάκοντα μῶς 50, 3; ἑκατὸν μῶς 56, 26
- Μνησιθείδης ἄρχων (457/6) 26, 16
* μνησικακεῖν 39, 20 (decree); 40, 11.
ἐμνησικάκησε 40, 16 (μνησικός *Rhet.*
1381 b 4; *Eth.* 1125 a 5)
* μοῖρα (=μέρος)· συνεβάλετο ἰ' οὐκ ἐλάττω
μοῖραν 19, 24
μοιχείας γραφή 59, 11
μοιχὸν λαβῶν 57, 19
μόνος c. *gen.* 3, 21, 38 &c. οὐ μόνον—
ἀλλὰ καὶ 40, 18 &c. ὥστ' αὐτὴν μόνην
χωρεῖν τὴν ψῆφον col. 35, 9. τρισχι-
λίοις μόνοις 36, 9
* μονοχίτων 25, 18
* μορίαί 60, 8, 9; ἐλαίαν μορίαν 60, 11
Μουνηχία 19, 5; 38, 1, 16; 42, 21. (στρα-
τηγός) εἰς τὴν Μ. 61, 6
μουσικῆς ἀγών 57, 5; 60, 5. τοῖς τὴν
μουσικὴν νικῶσιν 60, 21
μύδροι 23, 24 (only in *de Mundo* 395 b
23 μύδρους διαπύρους)
* μυλωθροί 51, 11
Μύρων 1, 1
* μύσται, ὅταν οἰκουρῶσι 56, 22
μυστήρια 39, 8; 57, 2
- Νάξιος 15, 11
Νάξος 15, 15
* ναυκραρίαί 8, 13 f
* ναυκραρικοῦ ἀργυρίου, ἐκ τοῦ 8, 18 (de-
cree)
* ναύκραροι 8, 14, 17; 21, 20
ναυμαχία, ἡ περὶ Σαλαμίνα 23, 5; ἐν Σαλα-
μῖνι 23, 22; 27, 7. ἡ περὶ Ἐρετρίαν 33,
4. ἐν Ἀργινούσαις 34, 4. ἐν Αἰγὸς ποτα-
μοῖς 34, 15. ἡτύχησαν—ναυμαχίαν 34,
15
ναυμαχῶ· ἐνανμάχησαν—πρὸς τοὺς βαρβά-
ρους 22, 37
ναυπηγοῦμένου 22, 37; ἐναυπηγήσατο 22,
36 (only in *Oec.* 1349 a 25 ναυπηγεῖσθαι
τρήρεις μέλλων. ναυπηγός and ναυπηγία
in *Pol.*; ναυπηγική in *Eth.*)
ναὺς· ἐπ' ἀλλοτρίας νῆως 34, 6; νῆες φρου-
ρίδες 24, 18; ἀλλαι νῆες 24, 19; εἰς τὰς
ναὺς 23, 7
ναυτικὴν δύναμιν, τὴν 27, 5
νέμω· νείμαι—τοὺς ἄλλους πρὸς τὴν λῆξιν
ἐκάστην 30, 16 (decree); ἵνα νεμηθῶσιν
—εἰς τὰς τέτταρας λῆξεις 31, 18 (de-
cree); ἐκ τῆς φυλῆς ἐκάστης νενεμημένοι
τριτῆτες τρεῖς 8, 13; νενεμηνται κατὰ
φυλὰς δέκα μέρη οἱ δικασταί 63, 20.
Mid. ἐάν τις μὴ θέλῃ κοινὰ τὰ ὄντα
νέμεσθαι 56, 37
Νεοκλῆς 23, 14
* νεοπολίτας, τοὺς 21, 17
νέος ὢν 27, 3; τῇ νέᾳ βουλῇ 46, 5. νεώτε-
ρος 19, 6; ν. ὀκτῶ καὶ δέκα ἐτῶν 42, 13;
νεώτερον (?) 26, 5
* νεωρίων, φρουροί 24, 15
νῆως ὃ ἐν Δελφοῖς 19, 20
* νεώσοικοι 46, 2, 4
νεωστί 3, 18

νίκη, μετὰ τὴν 22, 11. Νῆκαι 47, 5
 Νίκας 28, 15, 29
 Νικόδημος (or Νικομήδης) ἄρχων (c. 483/2)
 22, 29
 νικῶ νικᾶν 12, 9 (Solon). ἐνίκησεν (τοὺς
 ἱππεῖς) 19, 31. *c. acc. cogn.* νικήσας
 τὴν ἐπὶ Παλλήνιδι μάχην 15, 12; τὴν
 ἐν Μαραθῶνι μάχην νικήσαντων 38, 2;
 τὴν μουσικὴν νικῶσιν—τὴν εὐανδρίαν—
 τὸν γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν
 60, 20 f. *c. dat.* νικήσαντων μάχῃ 38,
 2; τοὺς τῇ ναυμαχίᾳ νικῶντας 34, 5.
 ὁ νικήσας (of one who gets a decree
 passed) 45, 24. (In the law-courts) ἐὰν
 δὲ νίκησῃ 42, 11; οὗτος νικᾷ col. 36, 35
 νομίζειν 6, 21; νομίσαντες 18, 18
 νομίμων, ἐργεσθαι τῶν 57, 14
 νόμισμα 10, 4, 7
 νομοθεσία 10, 2
 νομοθετῶ· ἐνομοθέτησεν 8, 8; νομοθετήσας
 11, 15 (both of Solon)
 νόμος 4, 23; 16, 41. ὁ μὲν νόμος ἐστὶν 60,
 13. εἰσαγγελλίας 8, 26; περὶ τοῦ δσπρα-
 κισμοῦ 22, 5. νόμον ἔθηκε 8, 28; 22,
 17; νόμους ἔθηκε 6, 3; 7, 1; νόμος ἐτέθη
 21, 4; 22, 13, 26. νόμον μὴ ἐπιτήδειον
 θέιναι 59, 6. ἀναγράφαντες—νόμους 7,
 3; ἀσαφεῖς—νόμους 9, 11; μὴ γεγράφθαι
 τοὺς νόμους ἀπλῶς μηδὲ σαφῶς 9, 7; νό-
 μους (διατηρεῖν) 3, 35; νόμους ἐξηγεῖσθαι
 11, 6; νόμων θέσις 14, 7; ἐν τοῖς νόμοις
 10, 1; κατὰ τοὺς νόμους 4, 21; τοὺς—
 νόμους τοὺς περὶ τῶν Ἀρεοπαγιτῶν 35, 10;
 ὑπὸ τῶν νόμων 51, 2; ἐχρήσαντο τῶν νόμων
 22, 12. νόμοι quoted, περὶ τῶν ταμιῶν
 8, 6; Σόλωνος 8, 16; περὶ τῶν τυράννων
 16, 39
 * νομοφυλακεῖν, ἐπὶ τὸ 8, 20 (νομοφύλακες
 and νομοφυλακία in *Pol.*)
 νόον, τρέφεσθε μέγαν 5, 17 (Solon)
 νοστήσας 17, 2. *Met.* τὰ πράγματα νοσ-
 οῦντα 6, 19; διετέλουν νοσοῦντες 13, 12
 νύκτα καὶ ἡμέραν 44, 2
 νῦν 3, 24 &c. τὸ νῦν εἶναι 31, 9 (decree).
 καὶ νῦν 3, 39; 7, 29. ἔτι καὶ νῦν 3, 25;
 7, 6; 8, 6; 22, 7. νῦν δέ (opp. πρότε-
 ρον μὲν) 53, 24; 54, 19; 55, 11, 25;
 56, 25; 61, 2; (opp. πρότερον δέ) 56,
 9; (opp. ποτε) 49, 20; (opp. τὸ μὲν ἐξ
 ἀρχῆς) 55, 4; νῦν δ' after *impf.* 51, 9

Ξάνθιππος ὁ Ἀρίφρωνος 22, 28; 28, 10
 Ξεναίνετος ἄρχων (401/0) 40, 27
 Ξενίας γραφή 59, 8
 ξένος 19, 23; 20, 6; 57, 18
 Ξέρξου στρατεία 22, 40
 ξηρὰ καὶ ὑγρὰ 7, 17
 ξύλινος (ἀμφορεὺς) col. 36, 5, 7. ξύλινοι(?)
 κύβοι col. 31, 19
 ξυνήγαγον 12, 28 (Solon)

ὁ. τὰ μὲν ἐκὼν τὰ δ' ἄκων 27, 10.—τὰ
 δύο μέρη 51, 17.

Article often found in periphrastic
 phrases, οἱ περὶ Ἀνακρέοντα 18, 5; οἱ
 περὶ τὸν Κλεομένην 20, 12; τῶν ἐν τῇ
 πολιτείᾳ 38, 9; τὰ περὶ τὰς ἀρχάς 3,
 33; τὰ πρὸς ἑαυτοὺς 13, 13; τὰ εἰς τὸν
 πόλεμον 23, 10; τὰ τοῦ πολέμου 30, 30
 (decree); τὰ κατὰ τὴν πολιτείαν 2, 10;
 29, 1 f.

Sometimes omitted (1) before the
 names of officials, as θεσμοθέται 3, 30;
 στρατηγὸς καὶ ἱππάρχους 4, 8; cf. 30,
 7; (2) in certain set phrases, as ἐν
 ἀγορᾷ 51, 10; 52, 14; ἐν ἀστει 50, 5;
 ἐν ἀκρόπολει 18, 14; εἰς ἀκρόπολιν 55,
 33; 60, 18 (but εἰς τὴν ἀκρόπολιν 20,
 13); ἀνευ δικαστηρίου γνώσεως 45, 4;
 ἐκ καταλόγου 26, 8; ἐν μέρει 43, 7;
 κατὰ μέρος 55, 5; εἰς πόλιν 8, 24; μέχρη
 ἀρχῆς τέλους 56, 7; ἔτει δευτέρῳ 14, 7;
 15, 9 &c; καὶ αὐτὸν καὶ γένος 16, 44;
 τίς πατὴρ (and μητὴρ) πατὴρ 55, 14 f.
 Similarly with ἀρχή 5, 6, 20. (The
 exx. mainly from H-L, *s.v.* Articulus.)
 See also ὅδε, ἕκαστος and τρόπος.

ὁβολός· 41, 33; 62, 9. δύο ὁβολοὺς (τοῖς
 ἀδυνάτοις) 49, 28; δυοῖν ὁβολοῖν 28, 22;
 τρεῖς ὁβολοὺς 29, 32; 62, 7; τέτταρας
 42, 26; 62, 10; πέντε 62, 7; ἐννέα 62,
 7

ὅδε, article sometimes omitted in papyrus
 after, 7, 8; 29, 29; 37, 5; not omitted
 in 42, 1 τὸνδε τὸν τρόπον.—νόμος—ὅδε

16, 42

* ὁδοποιοί 54, 1

ὁδός 50, 11—14; 54, 2

ὁδῶναι 16, 21

ὅθεν (1) 'whence', (of place) 15, 7; (of
 origin &c) 6, 11 ὅθεν φασὶ γενέσθαι;
 8, 3 ὅθεν ἔτι διαμένει; 18, 12 ὅθεν
 συνέβη; 19, 20 ὅθεν εὐτόρησαν χρη-
 μάτων; 21, 5 ὅθεν ἐλέχθη τὸ φυλοκρι-
 νεῖν. (2) 'wherefore', ὅθεν καὶ 3, 8;
 17, 15; 21, 18; ὅθεν ἔτι καὶ νῦν 7, 6;
 ὅθεν ὕστερον 19, 13

οἶδα *passim*. οἶδεν ἀδικοῦντα 49, 11; μὴ
 εἰδῆν 57, 20; εἰδότες 14, 12

Οἰθήνεν 27, 19

οἰκίας, ἐκ τῆς 7, 17; τῶν οἰκείων 40, 24

οἰκείως εἶχον 36, 5

οἰκέτην ἀποκτείνῃ 57, 17

οἰκήματα 15, 21

οἰκία· ἐὰν—οἰκίαν λαμβάνωσιν 39, 10; οἰ-
 κίας 20, 9; τὰ χωρία καὶ τὰς οἰκίας 52,
 6

οικοδομεῖν 19, 20

οικοδομήματα δημόσια 46, 8

οἴκου ὀρφανικοῦ κακώσεως 56, 34; οἴκους

ὀρφανῶν 56, 43

* οἰκουρῶσι μύσται, ὅταν 56, 22

οἰκῶ *c. acc.* οἰκεῖν τὴν πόλιν 22, 19; *c.*
praep. τοὺς οἰκοῦντας ἐν ἐκάστῳ τῶν
 δῆμων 21, 16; οἰκεῖν ἐν τῷ ἀστει 24,
 3 &c. φῆκαν (?) 3, 23

- οἶνοχοεῖν 20, 23 (scol.)
οἶμαι· οἶνται 9, 10; οἶσθαι 10, 6; φετο
11, 10
οἶον, 'for example', 35, 14; 57, 19. *οὐχ
οἶον* *raḡyri lectio* 40, 23
ὀκτώ 23, 7. ὀκτωκαίδεκα ἔτη 42, 3, 13
ὀλβος 12, 13, 18 (Solon)
ὀλιγαρχία κατέστη 32, 7; ὀλιγαρχίας ἐπε-
θύμουν 34, 20; ἐν ὀλιγαρχίᾳ 38, 29;
τὴν ὀλιγαρχίαν ἐξήτουν 13, 19; χειρο-
τονεῖν τὴν ὀλ. 34, 26; τὴν προτέραν ὀλ.
37, 11; τὴν ἐπὶ τῶν τριάκοντα ὀλ. 53,
4
ὀλιγαρχική, ἡ πολιτεία 2, 2; προσθεμένου
τοῖς ὀλιγαρχικοῖς 34, 25
ὀλίγος· δι' ὀλίγων ἦν 2, 6; 4, 24. οἱ ὀλί-
γοι 41, 28; τῶν πολλῶν δουλεύοντων
τοῖς ὀλίγοις 5, 2
ὀλιγώρῳ· τοῦτων μὲν ὀλιγώρησαν 36, 12
ὄλος· τὴν ὄλην—πράξιν 18, 21; ἐκ τῆς φυ-
λῆς ὄλης 62, 2
ὄλως 13, 12
ὀμιλίας—προσῆγετο, ταῖς 16, 37
ὀμιλοῦντας, πρὸς χάριν 35, 19
ὀμνυμι· ὀμνύουσι 3, 11; 7, 6; 22, 7; 55,
31; 55, 34. ὀμνύντες 7, 5; τοὺς ὅρκους
ᾧμωσε τοῖς Ἰωσιν 23, 23; ᾧμωσαν χρή-
σασθαι 7, 4; περὶ τοῦ ὅρκου ὄντινα χρή
ὀμῶσαι γράψαι 31, 6. ὀμῶσαντες 42, 4,
15; 55, 29, 33; ἡ μὴν 29, 12 (decree);
καθ' ἱερῶν 1, 1; καθ' ἱερῶν τελείων 29,
39; ὀμῶσων 39, 15
ὀμοίως καὶ πρότερον 26, 12; ὀμοίως—καὶ
ἐπὶ τῶν ἄλλων 35, 17
ὀμολογία 19, 35
ὀμολογῶ· ὀμολογοῦσιν 28, 31; ὀμολογῇ 57,
19; ὀμολογῶσι 52, 3; ὀμολογεῖται 28,
31
ὀμονοίας, ἄρχειν τῆς 40, 23
*ὀμοφρονήσαντες 14, 18
ὀμόχρων τῷ δικαστηρίῳ, βακτηρίαν col. 32,
4; δικαστήριον ὀμόχρων τῇ βακτηρίᾳ col.
32, 11
ὀνειδίζω 12, 55; ὀνειδίσας 18, 36; ὀνει-
δίσαι 12, 57 (Solon)
ὄνομα 7, 19; 14, 27; 17, 13; 48, 20; 54,
36; 63, 19
ὄπλα, ἀνελόντες 15, 21; ἐξαράμενος 14,
13; μὴ θῆται 8, 29; παρείλετο 15, 15;
παρείλοντο 37, 14; παρελῆσθαι 37, 4;
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 * πρεσβεύσασμενοι, πρὸς Λακεδαιμονίους 32, 14
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 * πρόγραμμα 44, 10
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 *προσαιρούμαι· προσελόμενοι σφίσιν αὐτοῖς ἀρχοντας 35, 53 (only quoted in *Index* from *Pollux* viii 92)
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1303 b 24, the only ref.

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